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# LEGISLATIVE HISTORY

Public Law 470--79th Congress

Chapter 519---2d Session

S. 896

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## DIGEST OF PUBLIC LAW 470

**PENSION ACT AMENDMENT.** Amends the Civil Service Retirement Act so as to extend to certain annuitants retired before January 24, 1942, the privilege of having their annuities recomputed under the method contained in the act of January 24, 1942.

### INDEX AND SUMMARY OF HISTORY ON S. 896

April 18, 1945	S. 896 introduced by Rep. Morse and was referred to the Senate Committee on Civil Service. Print of the bill as introduced.
April 26, 1945	H. R. 2054 introduced by Rep. Keall and was referred to the House Committee on the Civil Service. Print of the bill as introduced. (Similar bill).
November 15, 1945	Senate Committee reported S. 896 without amendment. Senate Report 741. Print of the bill as reported.
November 23, 1945	S. 896 debated in Senate and passed with amendment.
November 26, 1945	S. 896 referred to the House Committee on the Civil Service. Print of the bill as referred.
May 27, 1946	House Committee reported S. 896 without amendment. House Report 2146. Print of the bill as reported.
June 12, 1946	House Rules Committee reported H. Res. 661 for the consideration on S. 896. House Report 2234.
June 24, 1946	Debated in House and passed without amendment.
June 29, 1946	Approved. Public law 470.









79TH CONGRESS  
1ST SESSION

# S. 896

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## IN THE SENATE OF THE UNITED STATES

APRIL 18 (legislative day, APRIL 16), 1945

Mr. MORSE introduced the following bill; which was read twice and referred to the Committee on Civil Service

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## A BILL

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 10 of the Act entitled "An Act to amend further  
4       the Civil Service Retirement Act, approved May 29, 1930,  
5       as amended", approved January 24, 1942 (Public Law  
6       Numbered 411, Seventy-seventh Congress), is amended to  
7       read as follows:

8       "SEC. 10. In the case of those who before the enact-  
9       ment of this Act shall have been retired on annuity under

1 the provisions of the Act of May 22, 1920, as amended,  
2 or the Act of May 29, 1930, as amended, the annuity shall  
3 be recomputed and paid in accordance with the provisions  
4 of section 4 of this Act."

5 SEC. 2. Nothing herein contained shall be construed so  
6 as to reduce the annuity of any annuitant, nor shall any in-  
7 crease in annuity accrue under this Act prior to its enactment.

8 SEC. 3. This Act shall become effective on the first day  
9 of the second calendar month following the month in which  
10 this Act is enacted.



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## A BILL

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To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

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By Mr. Morse

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APRIL 18 (legislative day, APRIL 16), 1945

Read twice and referred to the Committee on  
Civil Service





79TH CONGRESS  
1ST SESSION

# H. R. 3054

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1945

Mr. BEALL introduced the following bill; which was referred to the Committee on the Civil Service

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## A BILL

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 10 of the Act entitled "An Act to amend further  
4       the Civil Service Retirement Act, approved May 29, 1930,  
5       as amended", approved January 24, 1942 (Public Law  
6       Numbered 411, Seventy-seventh Congress), is amended to  
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1 or the Act of May 29, 1930, as amended, the annuity shall  
2 be recomputed and paid in accordance with the provisions  
3 of section 4 of this Act."

4 SEC. 2. Nothing herein contained shall be construed so  
5 as to reduce the annuity of any annuitant, nor shall any  
6 increase in annuity accrue under this Act prior to its enact-  
7 ment.

8 SEC. 3. This Act shall become effective on the first  
9 day of the second calendar month following the month in  
10 which this Act is enacted.





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**A BILL**

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To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942.

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By Mr. BEALL.

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APRIL 26, 1945

Referred to the Committee on the Civil Service





DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE  
(Issued November 16, 1945, for actions of Thursday, November 15, 1945)

(For staff of the Department only)

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HIGHLIGHTS: Senate continued debate on reorganization bill and agreed to Byrd amendment to permit effectiveness of any reorganization plan after 60 days unless rejected by concurrent resolution. Senate committee reported Downey pay bill. Sen. Byrd urged 20% reduction in Federal personnel and submitted Economy Committee's civilian-employment report. Rep. Gross criticized Secretary Anderson's "campaign tour" and the New Deal farm program.

SENATE

1. GOVERNMENT REORGANIZATION. Continued debate on this bill, S. 1120 (pp. 10866-70, 10877-91). Agreed, 35-24, to Sen. Donnell's (Mo.) amendment regarding Congressional approval of reorganization plans (p. 10882) after agreeing, 37-26, to Sen. Byrd's (Va.) substitute amendment which provides that any reorganization plan shall be effective after 60 days unless rejected by concurrent resolution (p. 10880).
2. PERSONNEL. The Civil Service Committee reported without amendment S. 1415, the Federal 20% pay-raise bill (S.Rept. 742)(p. 10859); S. 396, to amend the Civil Service Retirement Act with regard to the computation of annuity payments to persons who retired before Jan. 24, 1942 (S.Rept. 741)(p. 10860); and with an amendment H.R.2716, to provide for health programs for Government employees (S.Rept. 743)(p. 10860).  
Received the report of the Joint (Byrd) Economy Committee on civilian employment in the Executive Branch. Sen. Byrd, Va., stated, "I believe the number of civilian personnel...can be reduced from 3,491,000 to 1,000,000 without impairing any essential function." (pp. 10860-1).  
The military Affairs Committee reported without amendment S. 1560, to amend the Service Extension Act so as to extend reemployment benefits to former members of the WAAC's who entered the WAC's (S.Rept. 746)(p. 10860).
3. MINERALS. The Mines and Mining Committee reported without amendment S. Con. Res. 22, calling on the Secretary of the Interior for a report upon the minerals situation of the U.S. (S.Rept. 749)(p. 10860).
4. SMALL BUSINESS. Sen. Wherry, Nebr., inserted his Forbes Magazine article, "One Million New Businesses," which deals with the full-employment situation (p. 10891).



5. FARM PROGRAM. Rep. Gross, Pa., criticized Secretary Anderson's "campaign tour" and the New Deal farm program (p. 10898).
6. IRRIGATION. The Irrigation and Reclamation Committee reported without amendment H.R. 1689, authorizing Interior Department to purchase improvements or pay damages for removal of improvements located on U. S. public lands in the Anderson Ranch Reservoir site, Boise Reclamation Project, Idaho (H.Rept.1208)(p.10917).
7. VETERANS' FARM LOANS. Rep. Sabath, Ill., criticized administration of the veterans' farm-loan provision of the GI Bill of Rights (p. 10901).
8. SURPLUS PROPERTY; VETERANS. Rep. Scrivener, Kans., criticized difficulties encountered by veterans in purchasing surplus property, including a veteran's letter on the subject, and urged passage of his bill H.R. 4390, to amend the Surplus Property Act so as to simplify disposal to veterans (pp. 10895-6).
9. FULL EMPLOYMENT. Rep. Biemiller, Wis., spoke favoring full-employment legislation and discussed provisions of the bills H.R. 2202 and S. 380 (pp.10902-7).  
Received a United Electrical Radio and Machine Workers petition favoring the full-employment bill (p. 10917).
10. FOREIGN LOANS. Rep. Andresen, Minn., criticized proposed loans to England (p. 10893).  
Rep. Woodruff, Mich., criticized loans to England and included New York Journal-American articles which discussed means (including those of this Department) by which to favorably publicize such loans (pp. 10898-900).
11. LEGISLATIVE PROGRAM. Majority Leader McCormack announced that the deficiency-appropriation bill is expected to be reported Mon., Nov. 26 (p. 10901-2).

## BILLS INTRODUCED

12. PERSONNEL; RETIREMENT. H. R. 4651 (see Digest 199-200) amends the Civil Service Retirement Act to provide for annuities for recovered disabled annuitants whose annuities are discontinued subsequent to June 30, 1945, and who fail through no fault of their own to obtain reemployment.
13. FARM LABOR; SELECTIVE SERVICE. H. R. 4662 (see Digest 199-200) amends the Selective Training and Service Act to provide for deferment of registrants found to be regularly engaged in an agricultural occupation or endeavor.
14. PRICE CONTROL. S. J. Res. 118, by Sen. Wherry, Nebr. (for himself and Sen. Stewart, Tenn.), to amend the Emergency Price Control Act with respect to the margin of profit which must be allowed in fixing maximum prices. To Banking and Currency Committee. Remarks of author (pp. 10870-7).
16. SOCIAL SECURITY. H. R. 4700, by Rep. Wickersham, Okla., to provide Federal pensions for all individuals not covered by title II of the Social Security Act, and to repeal title I of said Act. To Ways and Means Committee. (p. 10917.)
17. WATER POLLUTION. H. R. 4705, by Rep. Bailey, W. Va., to prevent the contamination of streams and other bodies and sources of water by the escape of sulfur or other polluting water from abandoned coal mines, to prevent entry of such mines by unauthorized persons or livestock, and to aid in preventing or extinguishing mine fires. To Rivers and Harbors Committee. (p. 10917.)





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 79<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 91

WASHINGTON, THURSDAY, NOVEMBER 15, 1945

No. 202

## Senate

(Legislative day of Monday, October 29, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. W. Emory Hartman, Ph. D., minister of Grace Methodist Church, Harrisburg, Pa., offered the following prayer:

Eternal God, Thou uncreated source of righteousness, truth, and power, let the majesty of Thy presence now humble our hearts and lift up our spirits. Speak Thou this day to the leaders and people of America, that this Nation may become a holy nation, entirely consecrated to Thee.

Direct us, O God, to use wisely our leadership among the nations. May we employ the vast energies of nature and life for the common good and utilize our God-given resources for the enlargement of the common life. Lead us to sacrifice as devotedly in the pursuits of peace as in the efforts of war. Give us compassion for the shelterless, starving, and suffering peoples of all lands and prompt us to share with them our bounties.

Help us to assert fearlessly in the counsels of the nations the principles of justice, freedom, and equality. In all our enterprises may we place our reliance upon Thee, the one true God, who alone canst save the people. We pray in the name and spirit of Christ. Amen.

### THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, November 14, 1945, was dispensed with, and the Journal was approved.

### LEAVES OF ABSENCE

Mr. MAGNUSON. Mr. President, I ask unanimous consent to be absent from the Senate for the next two or three days to attend the American Legion Convention in Chicago as an official delegate from my State department of the Legion.

The PRESIDENT pro tempore. Without objection, leave is granted.

Mr. OVERTON. Mr. President, I ask unanimous consent to be absent from the Senate next Friday and next Monday.

The PRESIDENT pro tempore. Without objection, leave is granted.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had severally agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 1015. An act for the relief of G. H. Moore, of Butler, Taylor County, Ga.; and

H. R. 2545. An act for the relief of Florida Rhone Burch.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 784) for the relief of Mr. and Mrs. John T. Webb, Sr.

The message further announced that the House insisted upon its amendment to the bill (S. 90) for the relief of the estate of George O'Hara, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. STIGLER, and Mr. COLE of Kansas were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendment to the bill (S. 693) for the relief of the Saunders Memorial Hospital, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. COMBS, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendment to the bill (S. 842) for the relief of the Elmira Area Soaring Corp., disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. STIGLER, and Mr. COLE of Kansas were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1890) for the relief of the estate of Peter G. Fabian, deceased; asked a conference with the Senate on the disagreeing votes of the

two Houses thereon, and that Mr. McGEHEE, Mr. HEDRICK, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2578) for the relief of Rufus A. Hancock; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McGEHEE, Mr. COMES, and Mr. RAMEY were appointed managers on the part of the House at the conference.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 1036. An act to provide for the adjustment of the compensation of certain members or former members of the armed forces of the United States who, before the expiration of their terminal leave, have performed, or shall hereafter perform, civilian services for the United States, its Territories or possessions, or the District of Columbia, and for other purposes;

H. R. 1015. An act for the relief of G. H. Moore and Mr. and Mrs. A. J. Moore; and

H. R. 2545. An act for the relief of the estate of Donald Rhone.

### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 14, 1945, he presented to the President of the United States the following enrolled bills:

S. 940. An act to provide for terms of the District Court of the United States for the District of Nevada; and

S. 1199. An act conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOWNEY, from the Committee on Civil Service:

S. 1415. A bill to increase the rates of compensation of officers and employees of the Federal Government; without amendment (Rept. No. 742).



By Mr. HICKENLOOPER, from the Committee on Civil Service:

S. 896. A bill to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes; without amendment (Rept. No. 741); and

H. R. 2716. A bill to provide for health programs for Government employees; with an amendment (Rept. No. 743).

By Mr. BILBO, from the Committee on the District of Columbia:

H. R. 2938. A bill to amend the Code of Laws of the District of Columbia, with respect to abandonment of condemnation proceedings; with an amendment (Rept. No. 744).

By Mr. HILL, from the Committee on Military Affairs:

S. 1489. A bill to authorize payment for accumulated and accrued annual leave to persons whose civilian appointments were terminated pursuant to section 4 of the act of December 22, 1942 (56 Stat. 1073); with an amendment (Rept. No. 745); and

S. 1560. A bill to amend the Service Extension Act of 1941, as amended, to extend reemployment benefits to former members of the Women's Army Auxiliary Corps who entered the Women's Army Corps; without amendment (Rept. No. 746).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 1554. A bill to provide for the appointment of additional commissioned officers in the Regular Army, and for other purposes; with an amendment (Rept. No. 747).

By Mr. GUFFEY, from the Committee on Mines and Mining:

S. Con. Res. 22. Concurrent resolution calling on the Secretary of the Interior for a report upon the minerals situation of the United States; without amendment (Rept. No. 748).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

H. R. 744. A bill authorizing payments of rewards to postal employees for inventions; without amendment (Rept. No. 749).

#### PRINTING OF ADDITIONAL COPIES OF HEARINGS ON BILL PROVIDING FOR SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS

Mr. HAYDEN. Mr. President, from the Committee on Printing, I ask unanimous consent to report favorably without amendment Senate Resolution 187, submitted by the Senator from Maryland [Mr. RADCLIFFE] on November 8, 1945, and request unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution (S. Res. 187) was considered by unanimous consent and agreed to, as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Commerce of the Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies, parts 1 and 2, of the hearing held before said committee during the current session on S. 292 entitled "A bill to provide for the sale of certain Government-owned merchant vessels, and for other purposes."

#### REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH

Mr. BYRD. Mr. President, I ask unanimous consent to submit a report from the Joint Committee on Reduction of Nones-

essential Federal Expenditures concerning civilian employment in the executive branch of the Federal Government in September 1945. In presenting this report I wish to invite the attention of the Senate to the fact that there were 22,213 more people on this pay roll in September than there were in May, when the global war effort reached its peak, and the war ended in Europe.

Much of this increase between May and September will be found in the personnel reported for these months by 13 old-line peacetime agencies, including the Bureau of the Budget, Agriculture Department, Commerce Department, Interior Department, Labor Department, Post Office Department, State Department, Treasury Department, Federal Works Agency, General Accounting Office, Panama Canal, Reconstruction Finance Corporation, and Veterans' Administration.

The civilian personnel total for September was 3,491,000, including 733,792 War Department employees outside the continental United States, and 53,277 regular part-time and substitute postal employees whom the Post Office Department previously had not been reporting. This September total of nearly three and a half million, including the new Post Office reports, was within 4 percent, or 158,769, of the all-time civilian pay-roll record in August, when hostilities ceased in the Pacific.

It will be noted from the footnotes in this report that there is a marked tendency at present to transfer personnel from the so-called emergency war agencies to the more secure locations in the permanent departments, establishments, and agencies. The transfer of personnel, of course, accompanies transfer of functions and funds.

As between civilian personnel reports for August and September, substantial increases will be found in the Post Office Department, Labor Department, State Department, and Veterans' Administration. Decreases were notable in the War Department, Navy Department, and Office of Price Administration.

It should be pointed out that approximately one-half of the reduction in the September pay roll is represented by a net decrease of 76,332 nonclassified employees, among whom, undoubtedly, are a great number of Federal industrial workers who, during the war, were employed in shipyards, arsenals, gun factories, and so forth.

In presenting this report for the Joint Committee on Reduction of Nonesential Federal Expenditures, the chairman speaks for himself when he submits that the people of the United States have a right to expect the Government to expedite demobilization of the gigantic civilian wartime pay roll which in September 1945, after the war was won in both the European and Pacific theaters, was still three and a half times greater than it was in June of 1939—the last pre-emergency year. I believe the number of civilian personnel now employed by the Federal Government, not only in the United States but scattered all over the world, can be reduced from 3,491,000 to 1,000,000 without impairing any essential function.

I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

*Reduction in nonessential Federal expenditures—Civilian employment of the executive branch of the Federal Government, by departments and agencies, for the months of August and September, showing the increases and decreases in number of paid employees*

Departments and agencies	1945		Increase (+) or decrease (-)
	August	September	
EXECUTIVE OFFICE OF THE PRESIDENT			
Bureau of the Budget.....	587	1 733	+146
EXECUTIVE DEPARTMENTS			
Agriculture Department.....	95,529	91,136	-4,393
Commerce Department.....	34,771	35,089	+318
Interior Department.....	45,055	44,524	-531
Justice Department.....	26,839	26,243	-596
Labor Department.....	6,346	2 36,629	+30,283
Navy Department.....	721,342	649,425	-71,917
Post Office Department.....	387,262	3 441,257	+53,995
State Department.....	11,188	4 15,352	+4,164
Treasury Department.....	95,808	93,636	-2,172
War Department 1.....	1,077,179	975,317	-101,862
NATIONAL WAR AGENCIES			
Committee on Fair Employment Practice.....	65	60	-5
Foreign Economic Administration.....	6,371	6,131	-240
National War Labor Board.....	3,844	0	-3,844
Office of Alien Property Custodian.....	729	651	-78
Office of Censorship.....	4,700	295	-4,405
Office of Defense Transportation.....	2,828	1,419	-1,409
Office of Economic Stabilization.....	19	0	-19
Office of Inter-American Affairs.....	1,249	7 660	-589
Office of Price Administration.....	61,985	45,492	-16,493
Office of Scientific Research and Development.....	1,310	1,157	-153
Office of Strategic Services.....	2,103	2,008	-95
Office of War Information.....	7,989	8 230	-7,759
Office of War Mobilization and Reconversion.....	458	9 583	+125
Petroleum Administration for War.....	970	839	-131
Selective Service System.....	18,573	17,662	-911
Smaller War Plants Corporation.....	1,874	1,656	-218
War Manpower Commission.....	27,839	10 0	-27,839
War Production Board.....	11,311	8,625	-2,686
War Shipping Administration.....	5,556	5,361	-195
INDEPENDENT AGENCIES			
American Battle Monuments Commission.....	1	1	0
Civil Aeronautics Board.....	349	371	+22
Civil Service Commission.....	6,863	6,734	-129
Employees' Compensation Commission.....	517	520	+3
Export-Import Bank of Washington.....	68	67	-1
Federal Communications Commission.....	1,508	1,519	+11
Federal Deposit Insurance Corporation.....	1,218	916	-302
Federal Power Commission.....	655	674	+19
Federal Security Agency.....	30,368	20,701	-9,667
Federal Trade Commission.....	448	441	-7
Federal Works Agency.....	20,532	20,628	+96
General Accounting Office.....	14,139	13,783	-356
Government Printing Office.....	6,943	6,914	-29
Interstate Commerce Commission.....	2,013	1,999	-14
Maritime Commission.....	10,280	9,008	-672
National Advisory Committee for Aeronautics.....	6,746	6,613	-133
National Archives.....	342	330	-12
National Capital Housing Authority.....	223	218	-5
National Capital Park and Planning Commission.....	17	17	0

Footnotes at end of table.



## RECOMPUTATION OF ANNUITIES FOR RETIRED ANNUITANTS WHO RETIRED PRIOR TO JANUARY 24, 1942

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NOVEMBER 15 (legislative day, OCTOBER 29), 1945.—Ordered to be printed

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Mr. HICKENLOOPER, from the Committee on Civil Service, submitted the following

## REPORT

[To accompany S. 896]

The Committee on Civil Service, to whom was referred the bill (S. 896) to amend the act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to extend to certain annuitants retired under the Civil Service Retirement Act prior to January 24, 1942, the privilege of having their annuities recomputed under the method of computation contained in the act of January 24, 1942. That act guarantees an annuity equal to one-seventieth of an employee's highest average salary for 5 consecutive years, multiplied by the years of service not exceeding 35, but this provision was not applied retroactively to benefit persons separated prior to the date of the 1942 act.

The necessity for this legislation is set forth in further detail in the following letter from the President of the Civil Service Commission:

UNITED STATES CIVIL SERVICE COMMISSION,  
Washington, D. C., May 11, 1945.

Hon. SHERIDAN DOWNEY,  
Chairman, Committee on Civil Service,  
United States Senate.

DEAR SENATOR DOWNEY: Reference is made to your communication of April 20, 1945, transmitting copy of S. 896, a bill to amend the act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes, and requesting the comments of the Commission thereon.

The bill would extend to certain annuitants retired under the Civil Service Retirement Act prior to January 24, 1942, the privilege of having their annuities recomputed under the new method of computation contained in the act of Janu-

ary 24, 1942, if such computation would result in increased benefits. The recomputation would, by the terms of the proposal, be effective on the first day of the second calendar month following the month in which this act is enacted.

The amendatory act of January 24, 1942, guarantees an annuity equal to one-seventieth of an employec's highest average salary for five consecutive years, multiplied by the years of service not exceeding 35, but this provision was not retroactive to benefit persons separated prior to the date indicated. In previous amendments to the retirement law in 1926 and 1930 liberalizing the benefits thereof, specific provision was made to include annuitants then on the roll.

The amendment of January 24, 1942, permits an employee retired under the age or optional provision of the retirement law to be reemployed in the Federal service if, in the opinion of the appointing authority, he possesses special qualifications. The annuity previously awarded is terminated upon any such reemployment, and the employee again becomes subject to the Retirement Act with a new annuity right arising under the law in effect at the time of subsequent separation from the service. This provision made it possible for a number of retired employees who were physically qualified and able to locate available positions in which their services could be utilized to be reemployed and upon subsequent separation to have their annuities adjusted under the terms of the amendment of January 24, 1942. This, it is believed, discriminates against former employees who now, after long and faithful service, are physically disqualified from reemployment or unable to locate suitable positions.

It was estimated by the Board of Actuaries that the cost of this proposal, if made effective as of January 24, 1942, would be \$15,677,338. Many of the annuitants who would be affected have gone back to work and established rights to the new computation, and some will continue to be reemployed. Of those annuitants who have not gone back to work, who would have benefited, probably 1,000 to 1,500 have died. Taking these things into consideration, it is quite evident that an accurate estimate of cost cannot be made. It is estimated, however, that should the increase in annuities not be effected until the date of approval of the amendment, the total cost would be between \$9,000,000 and \$12,000,000.

In the light of the experience gained in the administration of the retirement law since the amendment of January 24, 1942, the Commission recommends favorable action on this bill.

In connection with a somewhat similar bill, H. R. 2599, the Bureau of the Budget advised that the enactment of the proposed legislation would not be in accord with the program of the President.

By direction of the Commission:

Very sincerely yours,

HARRY B. MITCHELL, *President.*

○

Calendar No. 752

79<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 896**

[Report No. 741]

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IN THE SENATE OF THE UNITED STATES

APRIL 18 (legislative day, APRIL 16), 1945

Mr. MORSE introduced the following bill; which was read twice and referred to the Committee on Civil Service

NOVEMBER 15 (legislative day, OCTOBER 29), 1945

Reported by Mr. HICKENLOOPER, without amendment

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**A BILL**

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      That section 10 of the Act entitled "An Act to amend further  
4      the Civil Service Retirement Act, approved May 29, 1930,  
5      as amended", approved January 24, 1942 (Public Law  
6      Numbered 411, Seventy-seventh Congress), is amended to  
7      read as follows:

8      "SEC. 10. In the case of those who before the enact-  
9      ment of this Act shall have been retired on annuity under

1 the provisions of the Act of May 22, 1920, as amended,  
2 or the Act of May 29, 1930, as amended, the annuity shall  
3 be recomputed and paid in accordance with the provisions  
4 of section 4 of this Act.”

5       SEC. 2. Nothing herein contained shall be construed so  
6 as to reduce the annuity of any annuitant, nor shall any in-  
7 crease in annuity accrue under this Act prior to its enactment.

8       SEC. 3. This Act shall become effective on the first day  
9 of the second calendar month following the month in which  
10 this Act is enacted.



79TH CONGRESS  
1ST Session

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By Mr. MORSE

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APRIL 18 (legislative day, APRIL 16), 1945  
Read twice and referred to the Committee on  
Civil Service

NOVEMBER 15 (legislative day, OCTOBER 29), 1945  
Reported without amendment







DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE  
(Issued November 26, 1945, for actions of Friday, November 23, 1945)

(For staff of the Department only)

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HIGHLIGHTS: Senate passed Government-corporations bill. Senate committee reported bill transferring Interior's fur-animal activities to this Department. Senate committee reported rationing-termination resolution. House conferees appointed on appropriation-rescission bill. Secretary Anderson's rationing-termination announcement inserted. Department's poultry-subsidizing plan criticized.

NOTE: We understand that the House hearings on the 1947 agricultural appropriation bill have tentatively been scheduled to begin Jan. 14.

SENATE

1. GOVERNMENT CORPORATIONS. Passed without amendment H.R.3660, to provide for financial control of Government corporations (pp. 11093, 11111). (For provisions see Digest 135.) This bill will now be sent to the President.
2. ANIMAL INDUSTRY. The Agriculture and Forestry Committee reported with amendment S. 566, to provide for the transfer of Interior's fur-animal activities to this Department (S.Rept. 783)(p. 11071).
3. RATIONING; DAIRY AND MEAT INDUSTRY. The Agriculture and Forestry Committee reported without amendment S. Res. 185, to express the sense of the Senate that this Department should order OPA to cease rationing of butter, oleomargarine, fats and oils, and meat as soon as practicable, but in no case later than Dec. 1, 1945 (pp. 11071-2).
4. MISSOURI VALLEY AUTHORITY. Received a Omaha River Development Association resolution opposing S. 555, the MVA bill, and urging appropriations for the present development program of the Missouri River Basin (p. 11071).
5. RURAL REHABILITATION. The Agriculture and Forestry Committee reported with amendments S. 704, to authorize the Secretary of Agriculture to continue administration of and ultimately liquidate Federal rural rehabilitation projects (S. Rept. 784)(p. 11071).
6. LANDS. The Agriculture and Forestry Committee reported without amendment S. 1471, to transfer certain lands in Limestone County to Tex:(S.Rept.785)(p. 11071).



7. FORESTRY. Passed without amendment H.R. 608, to exclude certain lands in Deschutes County, Oreg., from the provisions of R.S. 2319-37, relating to the promotion of the development of the mining resources of the U.S. (p. 11110). This bill will now be sent to the President.
8. BANKRUPTCY. Judiciary Committee reported without amendment S. 343, to amend the Bankruptcy Act so as to remove the legal incompatibility between the office of U.S. Commissioner and referee in bankruptcy (S.Rept. 787)(p. 11071); S. 345, relating to the method of payment of the compensation of U.S. commissioners (S. Rept. 789)(p. 11071); S. 346, to amend the act of May 28, 1896, prescribing fees of U.S. commissioners (S.Rept. 790)(p. 11071); and H.R. 2465, to amend the act of May 28, 1896, so as to provide that nothing therein shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a U.S. commissioner (S.Rept. 791)(p. 11071).
9. PERSONNEL. Passed without amendment H.R. 1512, to amend the Pay Readjustment Act so as to provide for the computation of double-time credits awarded between 1898 and 1912 in determining retired pay (p. 11094). This bill will now be sent to the President.

Passed with amendment S. 890, to amend the Civil Service Retirement Act so as to provide that annuities of persons who retired before Jan. 24, 1942, shall be recomputed and paid in accordance with the provisions of Sec. 4 of the act of Jan. 24, 1942 (p. 11109).

Passed with amendment S. 1560, to extend reenployment benefits to former members of the WAAO's who entered the WAO's (p. 11106).

Discussed and passed over S. 1415, to provide for increasing Federal-pay rates (pp. 11107-8).

Discussed and passed over H.R. 2716, to provide for health programs for Government employees (pp. 1108-9).
10. ADMINISTRATIVE LAW. At the request of Sen. Donnell, Mo., passed over S. 7, to improve the administration of justice by prescribing fair administrative procedure (pp. 11109-10). (For provisions see Digest 206.)
11. MINERALS. Agreed to S. Con. Res. 22, calling upon the Secretary of the Interior for a report upon the minerals situation of the U.S. (p. 11109).

Discussed and at the request of Sen. McCarran, Nev., passed over S. 1483, providing for the suspension of annual assessment work on mining claims held by location in the U.S., including Alaska (p. 11110).
12. PHILIPPINE REHABILITATION. At the request of Sen. Taft, Ohio, passed over S. 1610, to provide for rehabilitation of the Philippine Islands (p. 11110).
13. NOMINATION. Confirmed the nomination of William McChesney Martin, Jr., to be a member of the Board of Directors of the Export-Import Bank (pp. 11112-3).
14. SUGAR; GRAINS. Sen. Capper, Kans., inserted a Kans. Federation of Women's Clubs resolution protesting the use of sugar and grains in the manufacture of liquor (p. 11071).
15. ANIMAL DISEASES. Sen. Capper, Kans., inserted an American Veterinary Medical Association resolution urging legislation to strengthen safeguards against the importation of diseased livestock (p. 11071).
16. INFLATION; PRICES; WAGES. Sen. Taft, Ohio, criticized the wage-price policy, Government expenditures, OPA price policies, and living standards with respect to possible inflation (pp. 11082-7). (See also item 38).



Can the Senate proceed with the bill after that request is made?

The PRESIDING OFFICER. The Chair desires to have the amendment stated.

Mr. BILBO. It is all right to perfect it.

Mr. WHITE. Mr. President, what bill is before the Senate at the moment?

The PRESIDING OFFICER. Calendar No. 751, House bill 2716. The Senator from California suggested an amendment, which the Chair directed the clerk to state to the Senate. If any Senator cares to object to the consideration of the bill after that is stated, he may do so.

Mr. BILBO. Very well.

The CHIEF CLERK. On page 2, at the end of line 17, after the word "environment", it is proposed to insert the following proviso: "Provided, That whenever the professional services of physicians are authorized to be utilized under this act, the definition of a physician contained in the act of September 7, 1916, shall be applicable."

Mr. BILBO. Over.

Mr. HICKENLOOPER. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. Will the amendment go over with the bill?

The PRESIDING OFFICER. It will.

Mr. DOWNEY. Mr. President, if Senators who have objection will withhold the objection for a while, I should like to make a brief explanation of the bill. I am very sure that if they were familiar with the terms of the bill they would not object.

Mr. BILBO. I am afraid the Senator will convince me. I object.

The PRESIDING OFFICER. On objection, the bill will be passed over.

#### RECOMPUTATION OF ANNUITIES FOR RETIRED ANNUITANTS

The Senate proceeded to consider the bill (S. 896) to amend the act entitled "An act to amend further the Civil Service Retirement Act approved May 29, 1930, as amended, approved January 24, 1942, and for other purposes," which was read, as follows:

*Be it enacted, etc.,* That section 10 of the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942 (Public Law No. 411, 77th Cong.), is amended to read as follows:

"SEC. 10. In the case of those who before the enactment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or the act of May 29, 1930, as amended, the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this act."

SEC. 2. Nothing herein contained shall be construed so as to reduce the annuity of any annuitant, nor shall any increase in annuity accrue under this act prior to its enactment.

SEC. 3. This act shall become effective on the first day of the second calendar month following the month in which this act is enacted.

Mr. MORSE. Mr. President, I should like to offer an amendment to the bill on page 2, line 7, to strike out the words "prior to its enactment" and in lieu thereof to insert "to any annuitant for any period prior to the effective date of this act."

Mr. REVERCOMB. Mr. President, I understand the amendment changes the bill so that any payments will not be retroactive.

Mr. MORSE. It makes perfectly clear that there will be no retroactive payments beyond the effective date of the act.

Mr. HICKENLOOPER. I may say that the amendment offered by the Senator from Oregon has been studied, and I believe it accomplishes exactly the purpose he has just stated.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (H. R. 2938) to amend the Code of Law of the District of Columbia, with respect to abandonment of condemnation proceedings, was announced as next in order.

Mr. BILBO. I ask that the bill be passed over. I should like to say that I reported the bill from the District Committee, but there have been some developments with respect to the effect of the amendment which was offered in committee to the House bill. So I ask that the bill go over until we can make a further study.

The PRESIDING OFFICER. The bill will be passed over.

#### REPORT BY SECRETARY OF THE INTERIOR UPON MINERALS SITUATION OF THE UNITED STATES

The concurrent resolution (S. Con Res. 22) calling upon the Secretary of the Interior for a report upon the minerals situation of the United States was considered and agreed to, as follows:

*Resolved, etc.,* That the Secretary of the Interior is hereby requested to report to the Congress within 6 months upon the minerals situation of the United States, including estimates on the current reserves of the principal minerals, and to prepare and submit within the same time such other data as he may deem useful to the Congress in formulating a program for the making of the surveys, examinations, studies, and investigations required to safeguard the Nation's future security and economy by supplying the basic geological, technological, and economic information needed to assist industry and Government in a continuing program of exploration, conservation, and development of the Nation's mineral resources.

The preamble was agreed to.

#### PAYMENTS OF REWARDS TO POSTAL EMPLOYEES FOR INVENTIONS

The bill (H. R. 744) authorizing payments of rewards to postal employees for inventions, was considered, ordered to a third reading, read the third time, and passed.

#### EFFECTUATION OF PURPOSES OF SERVICEMEN'S READJUSTMENT ACT OF 1944 IN THE DISTRICT OF COLUMBIA

The bill (S. 1152) to effectuate the purposes of the Servicemen's Readjustment Act of 1944 in the District of Columbia, and for other purposes, was considered, ordered to be engrossed for a

third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That this act may be cited as the "District of Columbia Servicemen's Readjustment Enabling Act of 1945."

SEC. 2. (a) The disability of minority of a resident of the District of Columbia who is eligible for guaranty of a loan pursuant to the Servicemen's Readjustment Act of 1944 (58 Stat. L. 284) and of a minor spouse of any such resident (when acting jointly with such resident) is hereby removed with respect to the incurring of any obligation all or part of which is guaranteed under the provisions of said act or in conjunction with which a secondary loan is so guaranteed, and with respect to the exercise of the rights of ownership in any property acquired with the proceeds of any such obligation, including the right to sell, convey, lease, encumber, improve, or maintain the same and to further obligate himself incident to his exercise of such rights.

(b) Notwithstanding any other provision of law, any building association or building and loan association or any savings and loan association, incorporated or unincorporated, organized and operating under the laws of the District of Columbia, or any Federal savings and loan association whose main office is in the District of Columbia, may invest its funds in: (1) Property-improvement loans insured or insurable under title I of the National Housing Act; (2) loans to veterans of World War II when guaranteed in whole or in part by a loan guaranty certificate issued under the Servicemen's Readjustment Act of 1944 including, without limitation, such loans as are unsecured and such loans as are junior to another mortgage or lien upon the security; and (3) other secured or unsecured loan for property alteration, repair, or improvement or for home equipment: *Provided*, That no such unsecured loan not insured or guaranteed by a Federal agency shall be made in excess of \$2,000: *Provided further*, That the total amount loaned or invested and held in unsecured loans not insured or guaranteed by a Federal agency as provided for under this subsection at any one time shall not exceed 15 percent of the association's assets.

SEC. 3. Any building association, building and loan association, or savings and loan association organized and operating under the laws of the District of Columbia, is authorized to lend money to veterans of World War II and others upon the security of a first deed of trust or first mortgage upon real estate, to be repaid in monthly or quarterly payments to be applied first to interest and the balance to principal until the indebtedness is paid in full, and without subscription to, or ownership of any shares, and such loans shall be known as direct-reduction loans. Direct-reduction-loan borrowers, and all persons assuming or obligated under direct-reduction loans made or held by such association shall be members of the association, and at all meetings of the members of the association, each borrower or each obligor upon a direct-reduction loan shall be entitled to one vote as such member.

#### BILLS PASSED OVER

The bill (S. 1289) to amend section 1 of the Federal Power Act with respect to the terms of office of members of the Federal Power Commission, was announced as next in order.

Mr. YOUNG. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 7) to improve the administration of justice by prescribing fair administrative procedure, was announced as next in order.

Mr. DONNELL. Over.



The PRESIDING OFFICER. The bill will be passed over.

Mr. McCARRAN. Mr. President, I think it would be improper for the Senate to take up this bill at a time when the Senate is considering bills on the consent calendar under the 5-minute rule. The bill is one of the most important to come before the Senate for sometime, and I hope in the reasonably near future to have the matter brought before the Senate at a time when the Senate can give it proper consideration.

**EXCLUSION OF LANDS IN DESCHUTES COUNTY, OREG., FROM CERTAIN PROVISIONS OF LAW**

The Senate proceeded to consider the bill (H. R. 608), to exclude certain lands in Deschutes County, Oreg., from the provisions of Revised Statutes 2319 to 2337, inclusive, relating to the promotion of the development of the mining resources of the United States, which had been reported from the Committee on Public Lands and Surveys, with an amendment, at the end of the bill to add the following proviso: "Provided, That nothing in this act shall disturb any vested rights of any person or persons in or to said real property or any part thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

**ASSESSMENT WORK ON MINING CLAIMS—BILL PASSED OVER**

The bill (S. 1483) to amend the act entitled "An act providing for suspension of annual assessment work on mining claims held by location in the United States including the Territory of Alaska", approved May 3, 1943, was announced as next in order.

Mr. McCARRAN. Mr. President, I ask that the bill go over. Similar bills have been before the Congress almost continuously during the past 13 years. They have been passed at various times for certain lengths of time, by reason of the depression in the first instance, because of the war in the second instance, and for other reasons. But the time is approaching, Mr. President, when the public domain of the United States should not be held under mining claims without a compliance with the spirit and intentment of the law applicable to mining claims. The law is that where a claim is taken for mineral in place or for a placer claim, work should be done annually on the claim so as to develop the true worth of the claim. Suspension bills have been passed by reason of the fact that labor was scarce in some instances, and due to lack of money because of the depression in other instances. But the time is fast approaching when labor will be plentiful and when we will be looking for post-war projects to give employment. The only reason I want the bill to go over at this time is so it may be limited as to the extent of time within which it will be operative.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. MILLIKIN. I should like to suggest to the Senator that the bill is definitely limited. As the law now stands there is a suspension of the law until the 1st of July following the end of the war, as proclaimed by the President or by Congress. The difficulty with the present situation is that if a proclamation were made on June 15 or June 25 of this year there would not possibly be time to organize the necessary work to comply with the statute. So that the pending bill merely changes the existing law so that the work will be suspended until one year from the 1st day of July after the cessation of hostilities as proclaimed by the President or by concurrent resolution of Congress.

Mr. McCARRAN. I know the scope of the bill. I know that President Roosevelt, when he signed the last extension bill, said it would be the last time extension of time would be given. I think it is time to stop the whole procedure. We have men out of employment now and we will have more of them as they come back from the war without employment and seeking employment. Their source of employment in years past has been, in many instances, doing the annual assessment work on mining claims. What is going on now is that great areas of the public domain are being held in absentee landlordship by those who have done nothing whatever to develop their claims or to develop the mineral resources of the country in which the claims are located.

The PRESIDING OFFICER. On objection, the bill will be passed over.

**BILL PASSED OVER**

The bill (S. 1610) to provide for the rehabilitation of the Philippine Islands, and for other purposes, was announced as next in order.

Mr. TAFT. This is a bill of great importance. It ought not to be passed on the Consent Calendar. I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

**REGINALD MITCHELL**

The bill (S. 1371) for the relief of Reginald Mitchell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Reginald Mitchell, of North Hollywood, Calif., the sum of \$106.85, in full satisfaction of his claim against the United States for compensation for property damage sustained by him, as a result of an accident which occurred when a United States Army vehicle collided with another automobile and pushed it into the rear of the automobile which he was driving, at the intersection of East Seventh Street and Maple Street, in Los Angeles, Calif., on November 10, 1944: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction

thereof shall be fined in any sum not exceeding \$1,000.

**CLEO E. BAKER**

The bill (H. R. 2191) for the relief of Cleo E. Baker was considered, ordered to a third reading, read the third time, and passed.

**O. M. MINATREE**

The bill (H. R. 1358) for the relief of O. M. Minatree was considered, ordered to a third reading, read the third time, and passed.

**MRS. ADDIE S. LEWIS**

The bill (H. R. 3135) for the relief of Mrs. Addie S. Lewis was considered, ordered to a third reading, read the third time, and passed.

**MARY GALIPEAU**

The bill (H. R. 2290) for the relief of Mary Galipeau was considered, ordered to a third reading, read the third time, and passed.

**L. WILMOTH HODGES**

The Senate proceeded to consider the bill (H. R. 874) for the relief of L. Wilmoth Hodges, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$9,641.75" and insert "\$7,141.75."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

**CLIFFORD E. CRAIG**

The bill (H. R. 2189) for the relief of Clifford E. Craig was considered, ordered to a third reading, read the third time, and passed.

**JOHN AUGUST JOHNSON**

The bill (H. R. 977) for the relief of John August Johnson was considered, ordered to a third reading, read the third time, and passed.

**MRS. RUTH COX**

The bill (H. R. 2427) for the relief of Mrs. Ruth Cox was considered, ordered to a third reading, read the third time, and passed.

**CLAIM OF EASTERN CONTRACTING CO.—BILL PASSED OVER**

The bill (H. R. 2518) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Eastern Contracting Co., a corporation, against the United States, was announced as next in order.

Mr. McCARRAN. Mr. President, House bill 2518, Calendar No. 771, appears to be a bill which seeks to confer jurisdiction on one of the courts of the land. The jurisdiction of bills of this nature has always been, so far as I can recall, in the Committee on the Judiciary. For some reason or other this bill seems to have gone to another committee, although it is a matter which deals exclusively with the jurisdiction of courts. I do not think the matter should have gone to the Claims Committee in the first instance. There is no report here from the Claims Committee at this







79TH CONGRESS  
1ST SESSION

# S. 896

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 26, 1945

Referred to the Committee on the Civil Service

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## AN ACT

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 10 of the Act entitled "An Act to amend further  
4       the Civil Service Retirement Act, approved May 29, 1930,  
5       as amended", approved January 24, 1942 (Public Law  
6       Numbered 411, Seventy-seventh Congress), is amended to  
7       read as follows:

8       "SEC. 10. In the case of those who before the enact-  
9       ment of this Act shall have been retired on annuity under

1 the provisions of the Act of May 22, 1920, as amended,  
2 or the Act of May 29, 1930, as amended, the annuity shall  
3 be recomputed and paid in accordance with the provisions  
4 of section 4 of this Act.”

5 SEC. 2. Nothing herein contained shall be construed so  
6 as to reduce the annuity of any annuitant, nor shall any in-  
7 crease in annuity accrue under this Act to any annuitant for  
8 any period prior to the effective date of this Act.

9 SEC. 3. This Act shall become effective on the first day  
10 of the second calendar month following the month in which  
11 this Act is enacted.

Passed the Senate November 23 (legislative day, October 29), 1945.

Attest:

LESLIE L. BIFFLE,  
*Secretary.*





79TH CONGRESS  
1ST Session

**S. 896**

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## **AN ACT**

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NOVEMBER 26, 1945

Referred to the Committee on the Civil Service





DIGEST OF  
CONGRESSIONAL PROCEEDINGS  
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
Legislative Reports and Service Section  
(For Department staff only)

Issued May 28, 1946  
For actions of May 27, 1946  
79th-2nd, No. 100

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HIGHLIGHTS: Senate agreed to House amendments to administrative-law bill; ready for President. Sen. Hart inserted Conn. Food Administrator's letter to Grain Branch discussing grain shortage as it affects dairy herds and poultry. Sen. Wiley inserted letter from Grain Branch answering questions on wheat supplies and flour production. Sen. Overton announced that hearings on Columbia Valley Authority bill have been indefinitely postponed. Sen. Downey introduced measure to provide for study of Federal pay schedules. Rep. Holifield urged elimination of meat subsidies and controls. Rep. Ellsworth criticized Secretary Anderson's "lack of...initiative" in remedying Pacific Northwest feed shortage.

SENATE

1. ADMINISTRATIVE LAW. Concurred in the House amendments to S. 7, to improve the administration of justice by prescribing fair administrative procedure (pp. 5921-4). This bill will now be sent to the President.
2. STOCKPILING. Sens. Thomas of Utah, Johnson of Colo., Hill, O'Mahoney, Austin, Bridges, and Gurney were appointed conferees on S. 752, to authorize acquisition of stocks of strategic and critical materials for national defense (pp. 5938-9). House conferees have not yet been appointed.
3. PERSONNEL CEILING. Sen. Byrd, Va., inserted "an explanation of the personnel ceiling which was adopted by the conferees" on S. 1415, the Federal pay bill (p. 5932).
4. SURPLUS PROPERTY. Sen. Wiley, Wis., criticized War Assets Administration's handling of surplus property (pp. 5932-3).
5. EMERGENCY LABOR BILL. Debated H. R. 6578, the President's labor bill (pp. 5908-21, 5933-82).
6. GRAIN SHORTAGE. Sen. Hart, Conn., inserted a letter from the Conn. Food Administrator to Director Smith of the Grain Branch discussing the feed shortage as it affects dairy herds and poultry (pp. 5904-5).  
Sen. Wiley, Wis., inserted a letter from Director Smith answering various questions regarding wheat supplies and flour production (pp. 5905-6).
7. PRICE CONTROL. Sen. Wiley inserted a statement from the Wis. Implement Dealers' Association criticizing price ceilings on farm machinery (p. 5905).



8. COLUMBIA VALLEY AUTHORITY. Sen. Overton, La., inserted correspondence between himself and Sen. Mitchell, Wash., regarding the holding of hearings on S. 1716, the Columbia Valley Authority bill, and announced that hearings on this bill have been indefinitely postponed (p. 5903).
9. FLOOD CONTROL. Received from the War Department a report on examination of Ouachita River, La., for flood control (S. Doc. 191)(p. 5902).

#### HOUSE

10. LIVESTOCK AND MEAT. Rep. Holifield, Calif., criticized OPA slaughtering regulations and urged the suspension of meat controls for a period of 4 to 6 months beginning July 1, and the elimination of subsidies on meat if production is not increased (pp. 5881-4).
11. FEED SHORTAGE. Rep. Ellsworth, Oreg., criticized the Secretary and other Government officials for "lack of judgment and lack of initiative to act" in remedying the Pacific Northwest feed shortage (pp. 5892-5).
12. PERSONNEL; RETIREMENT. The Civil Service Committee reported without amendment S. 896, to extend to certain annuitants retired under the Civil Service Retirement Act prior to Jan. 24, 1942, the privilege of having their annuities recomputed under the method contained in the act of Jan. 24, 1942 (H.Rept. 2146) and H.R. 3492, to prohibit withholding or recovery of moneys on account of certification or payment by a former Federal employee unless there is shown to have been fraud on the part of the employee (H.Rept. 2147); and reported with amendment H.R. 4651, to provide annuities for a recovered disability annuitant who through no fault of his own fails to obtain reemployment (H.Rept. 2148)(p. 5899).
13. ST. LAWRENCE WATERWAY. Rep. Pittenger, Minn., urged Congressional action on legislation to authorize this project (pp. 5897-8).
14. PRICE CONTROL. Received New Haven (Conn.) Board of Aldermen and Council of Social Agencies resolutions urging the continuation of price control without crippling amendments (p. 5899).
15. SURPLUS PROPERTY. The Accounts Committee reported without amendment H.Res. 641 providing an additional \$45,000 for the Select Committee to study and investigate the operation of the program for the disposition of surplus property (H. Rept. 2145) (pp. 5875, 5899).

#### BILLS INTRODUCED

16. PERSONNEL; HOLIDAYS; SALARIES. H.R. 5584, by Rep. Green, Pa., to provide that every Saturday shall be a holiday in D.C. To District of Columbia Committee. (p. 5899)  
S. J. Res. 164, by Sen. Downey, Calif., creating a joint congressional committee to conduct a study of Federal salary and wage schedules. To Civil Service Committee. (p. 5902.)

#### ITEMS IN APPENDIX

17. WHEAT; FOREIGN RELIEF. Extension of remarks of Rep. Pittenger, Minn., criticizing the shipping of wheat to Europe instead of flour as the cause of unemployment in the flour mills (p. A3188).
18. GRAIN EXPORTS. Rep. Fuller, N.Y., inserted a Syracuse (N.Y.) Herald-Journal ar-



mental estimate of appropriation for the fiscal year 1946 in the amount of \$24,000,000 for the Veterans' Administration (H. Doc. No. 614); to the Committee on Appropriations and ordered to be printed.

1339. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal years 1946 and 1947 in the amount of \$15,125 for the Treasury Department (H. Doc. No. 615); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'TOOLE: Committee on Accounts. House Resolution 641. Resolution providing funds for the study and investigation regarding the disposal of surplus property authorized by House Resolution 385 of the Seventy-ninth Congress; without amendment (Rept. No. 2145). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the Civil Service. S. 896. An act to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes; without amendment (Rept. No. 2146). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANDOLPH: Committee on the Civil Service. H. R. 3492. A bill to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; without amendment (Rept. No. 2147). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANDOLPH: Committee on the Civil Service. H. R. 4651. A bill to amend section 6 of the Civil Service Retirement Act of May 29, 1930, as amended; with amendment (Rept. No. 2148). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. H. R. 3359. A bill for the relief of Mrs. Mary Belk; with amendment (Rept. No. 2149). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 3623. A bill for the relief of William A. Pixley; with amendment (Rept. No. 2150). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4479. A bill for the relief of William E. Robertson and Estelle Robertson; with amendments (Rept. No. 2151). Referred to the Committee of the Whole House.

Mrs. MANKIN: Committee on Claims. H. R. 4834. A bill for the relief of the estate of

Katherine Delores Booth; with amendments (Rept. No. 2152). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4862. A bill for the relief of Walter R. Newcomb, Sr.; with amendments (Rept. No. 2153). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4888. A bill for the relief of Gustav F. Doscher; with amendments (Rept. No. 2154). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4919. A bill for the relief of Archibald J. Aicorn; without amendment (Rept. No. 2155). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5026. A bill for the relief of the estate of Drury Lee Jordan; with amendment (Rept. No. 2156). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 5243. A bill for the relief of Stone & Cooper Coal Co., Inc.; without amendment (Rept. No. 2157). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5284. A bill for the relief of Mrs. Lucy T. Harris; with amendment (Rept. No. 2158). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPRINGER:

H. R. 6583. A bill to further amend section 239 of the Judicial Code, and to provide for certificates of questions by the United States Court of Customs and Patent Appeals in customs cases, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN:

H. R. 6584. A bill to provide that every Saturday shall be a holiday in the District of Columbia; to the Committee on the District of Columbia

By Mr. BIEMILLER:

H. R. 6585. A bill to provide for the establishment of civilian government and local home rule in certain island possessions, and trust areas under the jurisdiction of the United States; to the Committee on Insular Affairs.

By Mr. BOREN:

H. R. 6586. A bill to outlaw the closed shop; to the Committee on Labor.

By Mrs. ROGERS of Massachusetts:

H. R. 6587. A bill to authorize the erection in the United States Capitol of a monument in memory of Brig. Gen. William Mitchell; to the Committee on the Library.

By Mr. FORAND:

H. J. Res. 361. Joint resolution directing the Secretary of the Navy to make the naval training station at Newport, R. I., the home port of the U. S. S. *Constellation* and to maintain it as a national museum; to the Committee on Naval Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 6588. A bill for the relief of Paul and Lurline Thomas of Duck Hill, Miss.; to the Committee on Claims.

By Mr. ANDERSON of California:

H. R. 6589. A bill for the relief of Hyakujiro Watanabe; to the Committee on Immigration and Naturalization.

H. R. 6590. A bill for the relief of Mrs. Mie Sagara; to the Committee on Immigration and Naturalization.

By Mr. BLOOM:

H. R. 6591. A bill for the relief of Anastasio A. Ylagan; to the Committee on Claims.

By Mrs. LUCE:

H. R. 6592. A bill to permit the naturalization of Sang Hun Shim; to the Committee on Immigration and Naturalization.

By Mr. McGEHEE:

H. R. 6593. A bill for the relief of Milton A. Johnson, and for other purposes; to the Committee on Claims.

By Mr. McKENZIE:

H. R. 6594. A bill for the relief of the estate of Mrs. B. F. Goodson; to the Committee on Claims.

By Mr. RIZLEY:

H. R. 6595. A bill conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim for refund of income tax erroneously paid by A. L. Bogan; to the Committee on Claims.

By Mr. ROE of New York:

H. R. 6596. A bill for relief of Jose Cabral Lorenzo; to the Committee on Immigration and Naturalization.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1914. By Mr. GEELAN: Resolution adopted by the labor participation committee of the New Haven Council of Social Agencies, urging the passage of the Price Control Act without crippling amendments; to the Committee on Banking and Currency.

1915. Also, resolution adopted by the board of aldermen of the city of New Haven, urging the passage of the Price Control Act without crippling amendments; to the Committee on Banking and Currency.

1916. Also, resolution adopted by Local 142, Yale University employees, concerning an amendment to the Murray-Wagner-Dingell bill asking that coverage under the act be extended to include workers of nonprofit institutions; to the Committee on Ways and Means.

1917. By Mr. REES of Kansas: Petition of Mrs. Idonla Daniels and 85 other residents of Wichita, Kans., in support of House bill 4747; to the Committee on Ways and Means.



# Senate

MONDAY, MAY 27, 1946

(Legislative day of Tuesday, March 5, 1946)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God who turnest not Thy face away from those who work Thy will, as in the morning we take anew the cup of our freedom crimsoned with great cost, may we be mindful of its sacred meaning and reverent in its use. Make more worthy in faith and uprightness the hands of those who hold it high in trust for all, that its healing balm may be denied to none beneath the spangled flag of this favored land. Grant that even when the rights of all are mocked and betrayed for power or gain we may still labor on with valor for the enthronement on earth of Thy reign of law and love, of equity and righteousness, nor ever doubt the final triumph of Thy great purposes for all men. Through Jesus Christ our Lord. Amen.

## THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the journal of the proceedings of the calendar day Saturday, May 25, 1946, was dispensed with, and the Journal was approved.

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letter, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, COAST GUARD, TREASURY DEPARTMENT (S. Doc. No. 188)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Coast Guard, Treasury Department, amounting to \$1,020,000, fiscal year 1947, in the form of an amendment to the Budget for that fiscal year and a draft of a proposed provision pertaining to an appropriation for the fiscal years 1946 and 1947 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

## RELIEF OF CERTAIN POSTMASTERS

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation for the relief of certain postmasters (with an accompanying paper); to the Committee on Post Offices and Post Roads.

## PETITION AND MEMORIAL

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A telegram in the nature of a petition from F. E. Ulrich, of Valley Stream, N. Y., praying for the prompt enactment of legislation to curb strikes; ordered to lie on the table.

A letter from J. R. FARRINGTON, Delegate from Hawaii, transmitting telegrams in the nature of memorials from Carpenters' Union Local No. 745, Boilermakers' Union No. 204, Central Labor Council, American Federation of Labor, and International Association of Machinists, all of Honolulu, P. I., remonstrating against the enactment of antilabor legislation (with accompanying telegrams); ordered to lie on the table.

## ANTISTRIKE LEGISLATION—PETITIONS

Mr. CAPPER. Mr. President, I have received telegrams from chambers of commerce in cities of Eureka, Liberal, Great Bend, Manhattan, Beloit, and Abilene, all in the State of Kansas, appealing to the Congress to enact legislation that will stop strikes. I ask unanimous consent to present these telegrams for appropriate reference and that they be printed in the RECORD.

There being no objection, the telegrams were received, ordered to lie on the table, and to be printed in the RECORD, as follows:

EUREKA, KANS., May 27, 1946.

Senator ARTHUR CAPPER,  
Washington, D. C.:

We believe in the principles of collective bargaining and in union responsibility for its acts. We believe that individuals should be free to join or not join labor organizations. That organized labor should be protected in its rights by laws which equally protect other citizens, organized or unorganized. That the best interests of all citizens are best served by a minimum of regulative legislation. We are opposed to violence, intimidation and coercive methods on part of labor or management. Interests, rights of public in continuity of production goods and services must not be subordinated in disputes of labor and management or in disputes between or within labor unions. To achieve these ends, to effectuate prompt settlement of current strikes, to establish effective precedent for future disputes we urge your prompt and united action.

Board of Directors, Eureka Chamber of Commerce: F. A. Smethers, J. W. Bayless, W. E. Marshall, H. F. Brenton, George S. Stright, H. M. Marriott, P. L. Braden, L. C. Baird.

GREAT BEND, KANS., May 25, 1946.

Hon. ARTHUR CAPPER,  
United States Senator,  
Senate Office Building,  
Washington, D. C.:

Lack of adequate national labor policy has resulted in widespread suffering and stifling of Kansas industries despite meritorious conduct of labor in Kansas. We believe in principles of collective bargaining and in union responsibility for its actions. Laws which protect labor ought to equally protect other citizens organized or unorganized. Interests and right of public must not be subordinated in disputes of labor and management or in disputes between or within labor unions. Temporary settlement of current railroad and coal strikes will not protect country against future serious paralyzing effects of strikes. We urge enactment of proper legislation to establish effective precedent for future dis-

putes. Country expects prompt and united action.

GREAT BEND CHAMBER OF COMMERCE,  
DON C. MCILRATH, President.

MANHATTAN, KANS., May 24, 1946.

Hon. SENATOR ARTHUR CAPPER,  
Senate Office Building,  
Washington, D. C.:

Realizing the desperate situation which has been facing this country because of labor troubles—intensified now by the paralysis caused by the railroad strike—we strongly urge you to exert every effort to secure action and legislation which will stop strikes against the welfare of the general public, and make the parties to such strikes—industry and labor—equally responsible for violation of their contracts and for actions deleterious to the public good. The essentials of this statement were unanimously approved today by the board of directors of the Manhattan, Kans., Chamber of Commerce and the members of the governmental affairs committee.

MANHATTAN CHAMBER OF COMMERCE,  
E. L. WILSON, President.

BELOIT, KANS., May 25, 1946.

Senator ARTHUR CAPPER,  
United States Senate,  
Washington, D. C.:

We believe in the principles of collective bargaining and in union responsibility for its acts. We believe that individuals should be free to join or not join labor organizations; that organized labor should be protected in its rights by laws which equally protect other citizens organized or unorganized; that the best interests of all citizens are best served by a minimum of regulative legislation. We are opposed to violent intimidation and coercive methods on part of labor or management. Interests and rights of public in continuity of production of goods and services must not be subordinated in disputes of labor and management or in disputes between or within labor unions. To achieve these established effective precedents for future disputes we urge your prompt and united action.

BOARD OF DIRECTORS OF BELOIT  
CHAMBER OF COMMERCE,  
W. J. CONSIDINE, Secretary.

LIBERAL, KANS., May 25, 1946.

Senator ARTHUR CAPPER,  
Washington, D. C.:

We believe in the principles of collective bargaining and in union responsibility for its acts. We believe that individuals should be free to join or not to join labor organizations; that organized labor should be protected in its rights by laws which equally protect other citizens organized or unorganized. That the best interests of all citizens are best served by a minimum of regulative legislation. We are opposed to violence, intimidation, and coercive methods on part of labor or management. Interests and rights of public in continuity of production of goods and services must not be subordinated in disputes of labor and management or in disputes between or within labor unions. To achieve these ends, to effectuate prompt settlement of current strikes, to establish effective precedent for future disputes, we urge your prompt and united action.

LIBERAL CHAMBER OF COMMERCE,  
N. S. LEPLEY.



AMENDING THE CIVIL SERVICE RETIREMENT ACT,  
APPROVED MAY 29, 1930, AS AMENDED

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MAY 27, 1946.—Committed to the Committee of the Whole House on the state of  
the Union and ordered to be printed

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Mr. RANDOLPH, from the Committee on the Civil Service, submitted  
the following

R E P O R T

[To accompany S. 896]

The Committee on the Civil Service, to whom was referred the bill (S. 896) to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to provide for the readjudication of a certain limited number of annuities which were granted under the Civil Service Retirement Act before the 1942 amendments. It is a corrective measure designed to remedy an existing inequality.

The bill would extend to certain annuitants retired under the Civil Service Retirement Act prior to January 24, 1942, the privilege of having their annuities recomputed under the new method of computation contained in the act of January 24, 1942, if such computation would result in increased benefits. The recomputation would, by the terms of the proposal, be effective on the 1st day of the second calendar month following the month in which this act is enacted.

The amendatory act of January 24, 1942, guarantees an annuity equal to one-seventieth of an employee's highest average salary for 5 consecutive years, multiplied by the years of service not exceeding 35, but this provision was not retroactive to benefit persons separated prior to the date indicated. In previous amendments to the retirement law in 1926 and 1930 liberalizing the benefits thereof, specific provisions were made to include annuitants then on the roll.

The amendment of January 24, 1942, permits an employee retired under the age or optional provisions of the retirement law to be reemployed in the Federal service if, in the opinion of the appointing

authority, he possesses special qualifications. The annuity previously awarded is terminated upon any such reemployment, and the employee again becomes subject to the Retirement Act with a new annuity right arising under the law in effect at the time of subsequent separation from the service. This provision made it possible for a number of retired employees who were physically qualified and able to locate available positions in which their services could be utilized to be reemployed and upon subsequent separation to have their annuities adjusted under the terms of the amendment of January 24, 1942. This, it is believed, discriminates against former employees who now after long and faithful service are physically disqualified from reemployment or unable to locate suitable positions.

On January 24, 1942, there were approximately 7,673 annuitants on the civil-service retirement and disability roll who would be affected by the bill as of that date. The Board of Actuaries for the civil-service retirement and disability fund advised that if the amendment were effective as of January 24, 1942, the cost during the life expectancy of these annuitants would be \$15,677,338. Approximately 25 percent of these former employees have died and many have returned to work for the Government, re-retired, and are already receiving the benefit of the 1942 amendments to the Retirement Act. As all annuitants are some 4 years older than when the Board of Actuaries made its estimate, annuity values applicable now are for ages correspondingly advanced.

Under these circumstances, it is estimated that if this bill is enacted it would cost approximately \$8,295,000.

Several examples of the inequities existing under the 1942 amendment are included in the report for explanatory reasons:

An employee retiring as of the present date, at a salary of \$4,000 and with 35 years of service, his annuity on retirement would be \$2,000. He would have contributed the additional deductions from salary over a period of slightly more than 4 years, amounting to a total of about \$850. An employee, at the same salary and term of service who retired just prior to 1942 on an annuity of \$1,200 has been denied the increased annuity of \$800 per year for a period of 4½ years, totaling \$3,800. He has contributed indirectly to the retirement fund, through the denied annuity, a total of \$3,800, or about \$2,900 more than the employee who retires as of this date.

Attention is directed to operation of the reemployment provision of the amendment of January 24, 1942. This provision has been taken advantage of by many persons retired before 1942 who obtained reappointment during the war. There is no requirement under the law as to how long a reappointed person must hold a position before he can retire under the provisions of the 1942 amendment; hence many have held such positions for a very short period—as little as 30 days—and then retired and were granted the increased annuity.

The Civil Service Commission recommends favorable consideration of the legislation.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in the act of January 24, 1942, amending the Civil Service Retirement Act of May 29, 1930, as amended, are shown as follows (new matter is printed in italics, exist-

ing law in which no change is proposed is shown in roman, existing law proposed to be omitted is enclosed in black brackets):

SEC. 1. (a) All officers and employees to whom this Act applies who shall have attained, or shall hereafter attain the age of seventy years and have rendered at least fifteen years of service computed as prescribed in section 5 of this Act shall be eligible for retirement on an annuity as provided in section 4 hereof.

(b) Any officer or employee to whom this Act applies who shall have attained, or shall hereafter attain the age of sixty years and have rendered at least thirty years of service computed as prescribed in section 5 of this Act, or who shall have attained, or shall hereafter attain the age of sixty-two years and have rendered at least fifteen years of such service may, upon his own option, retire and shall be paid an annuity computed as provided in section 4 of this Act.

(c) The head of a department or independent Government agency concerned may request the retirement of any such officer or employee described in subsection (b) of this section who, by reason of a disqualification is unable to perform satisfactorily and efficiently the duties of his position or some other position of the same grade or class as that occupied by the employee and to which he could be assigned. No such request shall be submitted to the Civil Service Commission unless and until the said officer or employee has been notified in writing of the proposed retirement. Each such officer or employee shall, upon request by him, have opportunity for a hearing before the Civil Service Commission, at which hearing the officer or employee may appear in person or he may be represented by a person of his choice. No such officer or employee shall be so retired unless the Civil Service Commission after examination finds that he is so disqualified. The determination of the Civil Service Commission as to whether the officer or employee shall be retired under this subsection shall be final and conclusive. Any person so retired shall be paid an annuity computed as provided in section 4 hereof. Nothing in this subsection shall be deemed to authorize any person to request the retirement of any elective officer, any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, or any employee of the office of the Architect of the Capitol.

(d) Any officer or employee who has completed thirty years of service computed in accordance with the provisions of section 5 hereof and who has reached or may hereafter reach the age of fifty-five years may voluntarily retire and shall be paid an immediate life annuity beginning on the first day of the month following the date of separation from the service having a value equal to the present worth of a deferred annuity at the age of sixty years computed as provided in section 4 of this Act.

If none of the options provided in this section is exercised prior to the date upon which the officer or employee would otherwise be eligible for retirement from the service, the provisions of this Act with respect to automatic separation from the service shall apply.

SEC. 2. Strike out all of section 2 of the Act of May 29, 1930, as amended, and insert in lieu thereof the following:

"(a) Except as provided in section 204 of the Act of June 30, 1932 (47 Stat. 404), and section 3 of the Act of July 13, 1937 (50 Stat. 512), all officers or employees to whom this Act applies shall, on the last day of the month in which they attain retirement age as defined in the preceding section; and having rendered at least fifteen years of service, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and it shall be the duty of the head of each department, branch, or independent office of the Government concerned to notify each such employee under his direction of the date of his separation from the service at least sixty days in advance thereof: *Provided, however,* That no provision of this or any other Act relating to automatic separation from the service shall have any application whatever to any elective officer.

"(b) No person separated from the service who is receiving an annuity under the provisions of section 1 of this Act shall be eligible again to appointment to any appointive office, position, or employment under the United States or of the government of the District of Columbia unless the appointing authority determines that he is possessed of special qualifications, in which event payment of his annuity shall be terminated during the period of his appointment. Any such person whose annuity is terminated shall, upon the termination of his appointment, have his subsequent annuity rights determined under the provisions of law in effect at the time of such termination."



SEC. 3. That section 3 of the Act of May 29, 1930, as amended, is amended by striking out all thereof and inserting in lieu thereof the following:

"(a) This Act shall apply to all officers and employees in or under the executive, judicial, and legislative branches of the United States Government, all elective and appointive officers in or under the said branches, and to all officers and employees of the municipal government of the District of Columbia: *Provided, however,* That this Act shall not apply to any such officer or employee of the United States or of the municipal government of the District of Columbia subject to another retirement system for such officers and employees of the said governments: *Provided further,* That this Act shall not apply to any elective officer or to any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, until he gives notice in writing to the disbursing officer by whom his salary is paid of his desire to come within the purview of this Act; and any such officer or employee may, within sixty days after the effective date of this subsection, withdraw from the purview of this Act by giving similar notice of such desire. In the case of any elective officer serving in the legislative branch of the Government on the effective date of this Act and in the case of any officer or employee in the service of the legislative branch of the Government on the effective date of this Act, such notice must be given within the calendar year of 1942. In the case of any elective officer elected to and serving in the legislative branch of the Government after such effective date, such notice must be given within six months after the taking of the oath of office; and, in the case of any officer or employee of the legislative branch of the Government who enters the service after such effective date, such notice must be given within six months after the date of entrance to the service. No provision of this or any other Act relating to automatic separation from the service shall have any application whatever to any elective officer.

"(b) The President shall have power, in his discretion, to exclude from the operation of this Act any officer or employee or group of officers or employees in the executive branch of the service whose tenure of office or employment is intermittent or of uncertain duration.

"(c) The provisions of this Act shall not apply to employees of the Senate or the House of Representatives whose employment is temporary or of uncertain duration; and the Architect of the Capitol is authorized to exclude from the operation of this Act any employees under the Office of the Architect of the Capitol whose tenure of employment is temporary or of uncertain duration."

SEC. 4. Section 4 (b) of the Act of May 29, 1930, as amended by the Act of August 4, 1939, is amended by striking out the period at the end of section 4 (b) and inserting in lieu thereof a semicolon, and by adding the following sentence after the semicolon: "nor shall such total annuity paid be less than an amount equal to the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service, not exceeding thirty-five years, and divided by seventy."

SEC. 5. Section 7 of the said Act of May 29, 1930, as amended, is hereby repealed, and in lieu thereof the following is substituted:

"(a) Should any officer or employee to whom this Act applies, after having served for a total period of not less than five years and before becoming eligible for retirement become separated from the service, such officer or employee shall be paid a deferred annuity beginning at the age of sixty-two years, computed as provided in clauses (1) and (2) of section 4 (a) of this Act: *Provided,* That any such person involuntarily separated from the service not by removal for cause on charges of misconduct or delinquency may elect to receive an immediate annuity beginning at the age of fifty-five or at the date of separation from the service if subsequent to that age having a value equal to the present worth of a deferred annuity beginning at the age of sixty-two years, or at age of separation is subsequent to age sixty-two, computed as provided in section 4 of this Act: *Provided further,* That nothing in this Act shall be so construed as to prohibit the refund of deductions, deposits, or redeposits made prior to the effective date of this Act with interest thereon, or of any voluntary contributions made under the provisions of section 10 of this Act, with interest: *And provided further,* That all moneys, except voluntary contributions, so refunded an officer or employee must be redeposited with interest before such officer or employee may derive any annuity benefits based on the service covered by the refund.

"(b) Should an annuitant under the provisions of this section be reemployed in a position included in the provisions of this Act, the annuity and any right to an

immediate or deferred annuity as provided herein shall cease as of the date of such employment. If such annuitant is reemployed in any position in the service of the United States or the District of Columbia, not within the provisions of this Act, annuity payments shall be discontinued during the period of such employment, and resumed in the same amount upon termination of such employment.

"(c) Interest shall be allowed on the amount credited to such separated officer's or employee's individual account in the retirement fund at 3 per centum compounded on June 30 of each year until the beginning date of annuity."

SEC. 6. That in section 9 of the Act of May 29, 1930, as amended, after the words "and also 3½ per centum of the basic salary, pay, or compensation for services rendered from and after July 1, 1926" insert the following: "and prior to July 1, 1942, and also 5 per centum of such basic pay, salary, or compensation for services rendered on and after July 1, 1942".

SEC. 7. Add to the first sentence of section 10 of the Act of May 29, 1930, as amended, the following: "Provided, That after June 30, 1942, there shall be deducted and withheld from the basic salary, pay, or compensation of any officer or employee to whom this Act applies a sum equal to 5 per centum of such officer's or employee's basic salary, pay, or compensation".

SEC. 8. Strike out paragraph (b) of section 12 of the Act of May 29, 1930, as amended, and insert in lieu thereof the following:

"In the case of any officer or employee to whom this Act applies who shall be transferred to a position not within the purview of this Act, or who shall become absolutely separated from the service before he shall have completed an aggregate of five years of service computed in accordance with section 5 of this Act, the amount of deductions from his basic salary, pay, or compensation credited to his individual account, together with interest at 4 per centum compounded on June 30 of each year, shall be returned to such officer or employee: *Provided*, That when an officer or employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency before completing five years of creditable service the total amount of deductions from his basic salary, pay, or compensation, with interest at 4 per centum compounded on June 30 of each year, shall be returned to such officer or employee: *Provided further*, That all deductions from basic salary, pay, or compensation so returned to an officer or employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act be redeposited with interest at 4 per centum compounded on June 30 of each year before such officer or employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service."

SEC. 9. Section 13 of the Act of May 29, 1930, as amended, is hereby amended, effective from January 1, 1940, by adding at the end thereof the following paragraph:

"The term 'annuitant' as used in this Act shall include any employee who has met all requirements of the Act for title and has filed claim therefor, notwithstanding final administrative action was not taken by the Civil Service Commission prior to his death. Nothing in this section shall be so construed as to reduce any benefit otherwise payable."

[SEC. 10. Nothing in this Act shall be so construed as to affect any rights of persons separated prior to the effective date of this Act, but all such rights shall continue and may be enforced in the same manner as though this Act had not been made.]

SEC. 10. *In the case of those who before the enactment of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, as amended, or the Act of May 29, 1930, as amended, the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this Act.*









# Union Calendar No. 633

79TH CONGRESS  
2D SESSION

## S. 896

[Report No. 2146]

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### IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 26, 1945

Referred to the Committee on the Civil Service

MAY 27, 1946

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

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## AN ACT

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 10 of the Act entitled "An Act to amend further  
4       the Civil Service Retirement Act, approved May 29, 1930,  
5       as amended", approved January 24, 1942 (Public Law  
6       Numbered 411, Seventy-seventh Congress), is amended to  
7       read as follows:

8       "SEC. 10. In the case of those who before the enact-  
9       ment of this Act shall have been retired on annuity under

1 the provisions of the Act of May 22, 1920, as amended,  
2 or the Act of May 29, 1930, as amended, the annuity shall  
3 be recomputed and paid in accordance with the provisions  
4 of section 4 of this Act.”

5 SEC. 2. Nothing herein contained shall be construed so  
6 as to reduce the annuity of any annuitant, nor shall any in-  
7 crease in annuity accrue under this Act to any annuitant for  
8 any period prior to the effective date of this Act.

9 SEC. 3. This Act shall become effective on the first day  
10 of the second calendar month following the month in which  
11 this Act is enacted.

Passed the Senate November 23 (legislative day, Octo-  
ber 29), 1945.

Attest:

LESLIE L. BIFFLE,

*Secretary.*



Union Calendar No. 633

79<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

S. 896

[Report No. 2146]

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## AN ACT

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To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

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NOVEMBER 26, 1945

Referred to the Committee on the Civil Service

MAY 27, 1946

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## CONSIDERATION OF S. 896

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JUNE 13, 1946.—Referred to the House Calendar and ordered to be printed

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MR. BATES of Kentucky, from the Committee on Rules, submitted the following

### REPORT

[To accompany H. Res. 661]

The Committee on Rules, having had under consideration House Resolution 661, report the same to the House with the recommendation that the resolution do pass.







# House Calendar No. 414

79<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 661

[Report No. 2284]

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1946

Mr. BATES of Kentucky, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the  
4 Union for the consideration of the Act (S. 896) to amend  
5 the Act entitled "An Act to amend further the Civil Service  
6 Retirement Act, approved May 29, 1930, as amended", ap-  
7 proved January 24, 1942, and for other purposes. That  
8 after general debate, which shall be confined to the Act  
9 and shall continue not to exceed one hour, to be equally  
10 divided and controlled by the chairman and the ranking  
11 minority member of the Committee on the Civil Service, the  
12 Act shall be read for amendment under the five-minute

1 rule. At the conclusion of the reading of the Act for amend-  
 2 ment, the Committee shall rise and report the same to the  
 3 House with such amendments as may have been adopted,  
 4 and the previous question shall be considered as ordered on  
 5 the Act and amendments thereto to final passage without  
 6 intervening motion except one motion to recommit.

**RESOLUTION**

Providing for the consideration of S. 896, an Act to amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

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By Mr. BATES of Kentucky

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JUNE 18, 1946  
 Referred to the House Calendar and ordered to be  
 printed





(p. 7529). Senate conferees appointed June 21.

Received the conference report on H.R. 6335, the Interior appropriation bill, 1947 (pp. 7549-56).

14. FARM LABOR. Received from the President a supplemental appropriation estimate of \$12,000,000 for the continuation through June 30, 1947, of the Farm Labor Supply program, the present authority for which expires Dec. 31, 1946 (H.Doc. 675) (p. 7566).
15. INFORMATION; STATISTICS. Continued debate on H.R. 5857, to provide basic authority for activities of the Census Bureau (pp. 7531-40). During the debate Rep. Rizley, Okla., criticized and discussed with other members the food shortages and the effect of the farm-machinery shortage on production (pp. 7534-5); and Rep. Gross, Pa., blamed the administration for the food shortages and criticized Secretary Anderson's statements on hog production (p. 7535).
16. TRANSPORTATION. Agreed to the Senate amendments to H.R. 3565, to authorize the charging of tolls for the passage or transit of Government traffic over the San Francisco-Oakland Bay Bridge (p. 7527). This bill will now be sent to the President.
17. RENT CONTROL. Passed without amendment S. 2219, to extend the D.C. Rent Control Act for one year (pp. 7530-1). This bill will now be sent to the President.
18. PERSONNEL. Passed without amendment S. 896, to extend to annuitants who retired under the Civil Service Retirement Act prior to Jan. 24, 1942, the privilege of having their annuities recomputed under the method contained in the act of Jan. 24, 1942 (pp. 7549-2). This bill will now be sent to the President.

It is understood that the Civil Service Committee has ordered reported H.R. 4718, to provide optional retirement for Government employees with at least 25 years' service.

Rep. Rees, Kans., urged an investigation of "persons in Federal employment of questionable loyalty to our Government" (pp. 7545-6).
19. CORPORATION AUDITS; R.F.C. Received from the Corporation Audits Division, GAO, a report of findings relative to the RFC accounting system, contending that the corporation does not control its \$7,000,000,000 properties investment; its \$800,000,000 investment in inventories of Defense Supplies Corporation, Metal Reserves Company, and U.S. Commercial Company; its cash receipts; its rentals earned on properties; certain important liabilities; recoveries due it for plant extensions built for utility companies; surplus property disposal activities; and the activities of its affiliate, U.S. Commercial Company. (H.Doc. 674).
20. ASSISTANT SECRETARIES OF COMMERCE. The Interstate and Foreign Commerce Committee reported with amendments S. 1367, to provide for the appointment of three additional Assistant Secretaries of Commerce (H.Rept. 2323) (p. 7567).
21. FOOD SHORTAGE. Rep. Springer, Ind., criticized the administration for the present food shortage and proposed as a remedy the readjustment of meat and poultry prices, the cancellation of the 50% wheat-flour order, encouragement of flour mills to produce at full capacity, stopping of all "Government black-market operations in grain, feed, lumber, and other commodities," and encouragement of full food production by making farm machinery and farm labor available (pp. 7542-5).
22. REORGANIZATION. The Expenditures in the Executive Departments Committee reported without amendment H.Con. Res. 155, 151, and 154 against the adoption of re-



organization plans 1, 2, and 3, respectively (H.Repts. 2326, 2327, and 2328) (pp. 7546, 7567).

Rep. Pittenger, Minn., stated that the reorganization plans should be p over until Jan. 1947 (p. 7536).

23. TRADE MARKS. Received the conference report on H.R. 1654, to provide for the registration and protection of trade-marks (pp. 7524-6).
24. GRAIN SHORTAGE. Received a Racine (Wis.) Tavern League petition requesting a reexamination into the allocation of grain for use in alcoholic beverages (p. 7567).
25. PRICE CONTROL. Reps. Phillips, Calif., and Jenkins, Ohio, criticized Chester Bowles and the OPA (pp. 7528-9) and Rep. Robaut, Mich., urged the continuati of price control (p. 7529).
26. INFORMATION; FOREIGN RELIEF. Rep. H. Cornack, Mass., inserted the President's letter announcing that arrangements have been made for members of the press report on UNRRA activities in Europe and that censorship rules in force for correspondents in the Soviet Union will be applied to correspondents desiring to report on UNRRA activities in countries under Russian influence (p. 7524).

#### BILL INTRODUCED

27. PERSONNEL; RETIREMENT. S. 2366, by Sen. Green, R.I., to amend the Civil Serv Retirement Act so as to provide annuities for employees with 25 years of service who are involuntarily separated from the service between July 1, 1945, and June 30, 1947. To Civil Service Committee. (p. 7488.)

#### ITEMS IN APPENDIX

28. FOOD SHORTAGE; FOREIGN RELIEF. Extension of remarks of Rep. McIlwain, La., criticizing the shipment of foodstuffs abroad when there is a shortage at home (pp. A3889-90).  
Extension of remarks of Rep. Engel, Mich., criticizing the disposition of the War Department of its surplus foods to UNRRA and foreign countries and opposing the transferability clause for appropriations under the Military Establishment appropriation bill (pp. A3870-5).
29. FOOD PRODUCTION. Rep. Mundt, S.Dak., inserted a Daily Argus-Leader (S.Dak.) editorial setting forth the achievements of S. Dak. in food production (pp. A3906-7).
30. RICE SHORTAGE. Rep. Larcade, La., inserted a N.Y. Journal of Commerce article (pp. A3888-9) and a statement by Frank A. Godchaux (Chairman La. State Rice Milling Co.) (pp. A3909-10) criticizing the shipment of rice to foreign countries when there is a domestic shortage.
31. GRAIN SHORTAGE. Rep. Andresen, Minn., inserted Harry A. Bullis' (Pres., General Mills Inc.) article blaming lack of foresight on the part of the Federal administration for some conditions causing the present grain shortage, but pointing out that conditions will soon improve and flour millers should not be discouraged (pp. A3897-8).
32. FEED SHORTAGE. Rep. Schwabe, Mo., inserted a constituent's letter criticizing the OPA ceiling on feed barley as aggravating the feed shortage (p. A3904).
33. ELECTRIFICATION. Rep. Price, Ill., inserted a St. Louis Post-Dispatch article



others give it, I submit that those who feel likewise should go along with him.

Mr. KEEFE. Mr. Chairman, will the gentleman yield right there.

Mr. ALLEN of Louisiana. Just one further minute, please. But we are faced with the fact that if we expect this census to be any good, if we expect it to be of use to businessmen and the general public, if we expect it to be of a type they can rely upon, then we need the information from all. I do not see how else it could be effective and accurate. Of course, you could take a cross section, but his plan would not give a good cross section.

Let me give this illustration—

Mr. KEEFE. Mr. Chairman, will the gentleman yield to let me give him an illustration?

Mr. ALLEN of Louisiana. Let me proceed, then I will be glad to yield. If my time runs out I will try to get more time.

Let me give this illustration: Suppose we take a census of the automobile business and suppose that every manufacturer in the automobile business gave us information except General Motors. Then the census would not reflect at all the general trend in that business and the other automobile dealers could not rely upon the census because the General Motors is a big factor in the automobile business and the figures which you would get from the other dealers would not reflect facts enough on which the public could rely. We are face to face with that. I do not like to require reports. But we are faced with the proposition that if the census is to be of value it must reflect true conditions and that can be done only if the reports are received from a given business very generally. Any great number left out would throw the figures out of line and make them valueless.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. ALLEN of Louisiana. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALLEN of Louisiana. We have made the penalty as light as possible; we took out the imprisonment feature that has always applied. The law has always called for a fine and imprisonment. We did that in the census of 1929 and right on down the line. As the gentleman from Wisconsin knows no prosecutions have been brought under the penalty features of the census law. I asked the Director of the Census if he had prosecuted people. I think he reported that no one had ever been prosecuted. But if we do not do the thing right then it is not worth doing at all. That is what we are faced with. Any census costs a lot of money, and this one will cost a lot, and there is no use to spend all that good money for something on which no one could rely for accuracy.

I now yield to the gentleman from Wisconsin.

Mr. KEEFE. The gentleman no doubt is familiar with the work of the Bureau of Labor Statistics, is he not?

Mr. ALLEN of Louisiana. I know something about it.

Mr. KEEFE. The gentleman, ever since I have been in Congress, has voted each year millions of dollars to the Bureau of Labor Statistics, and he knows that that is the great fact-finding agency of government, to find facts upon which business, and commerce, and labor, and industry depend.

Does the gentleman know that in the procurement of facts and the information upon which the Bureau of Labor Statistics bases its cost-of-living index and all of the other things they send to the public, that that information is gotten entirely from voluntary sources? It is entirely voluntary. Every bit of information that the Bureau of Labor Statistics gets—and the information is what governs the conduct of labor unions, covers wage negotiations, covers wages, covers income, covers expenditures, covers cost of living—all of that information is obtained from voluntary sources. The gentleman asked me for an illustration. There is the biggest illustration in the United States. There is no compulsion in it at all, yet they have built up a system in America by which they get the information and they get sound and correct information that the gentleman relies upon and that I rely upon. The gentleman just wants to build up another great big outfit to go out and duplicate a great deal of the work that is now being done under appropriations of this Congress to the Bureau of Labor Statistics. When, in God's name, are you going to stop this spending of money?

Mr. ALLEN of Louisiana. Is the gentleman through?

Mr. KEEFE. Yes; I am through.

Mr. ALLEN of Louisiana. Fine. Let me say to the gentleman, in the first place, that the Bureau of Labor Statistics gets a lot of information from other departments in the Government. It gets information from the Bureau of the Census and other places. Let me say further that this act will not alter the Bureau of Labor Statistics at all. We had that question up. To be frank with you, that is exactly why the committee voted to strike out section 5 of this bill rather than to have any controversy with the Bureau of Labor Statistics and others. Let me say further to the gentleman that the Federal Reports Act of 1942 was passed by us, and I expect the gentleman voted for it.

Mr. KEEFE. I did vote for it and I am in favor of it if it is properly administered. I am very familiar with that act too.

Mr. ALLEN of Louisiana. We wrote a provision in this bill leaving the Federal Reports Act intact. We do not propose to change that act at all. We have a provision in here doing that very thing. Now, under that act the Bureau of the Budget goes out and screens all of the requests presented by the various agencies of the Government, all of the Government agencies, the Bureau of Labor Statistics, Bureau of the Census, Education, and others. They present their requests to the Bureau of the Budget and the Bureau of the Budget screens them. We are not changing that situation one bit.

Mr. Chairman, the whole question resolves itself into the proposition of whether or not you want to do an effective job. It is not material to me. I have nothing at this stage. Witnesses came from many parts of the country and said they wanted and needed this legislation. They also said they wanted it to be reliable and accurate, and they were pretty general in believing that from their experience and general knowledge the information should come from a given industry rather completely and not from just a few in an industry. I was asked to present this legislation. If you do not want it, all right, but it is a question of doing an effective job. If you do not want to do an effective job, then vote against the bill. Remember that your own friends and constituents asked for this legislation. Many veterans are wanting to go into business. They want information. The Census Bureau wants to be ready to give it to them.

If you want to do a job and give information to these veterans and all others, if you want that information to be reliable, then give the Census Bureau a law with which it can be reasonably expected to serve the public. They say this bill will do it. The committee offers it for your earnest consideration.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

The Clerk read as follows:

SEC. 5. That in carrying out the policy of Congress as expressed in section 2 of the Federal Reports Act, 1942 (56 Stat. 1078), the Bureau of the Census, departmental staff, and field organization shall be recognized as the central agency for the collection and compilation of general purpose statistics.

With the following committee amendment:

Page 4, line 7, strike out section 5.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DAVIS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5857), to provide for the collection and publication of statistical information by the Bureau of the Census, pursuant to House Resolution 643, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not the Chair will put them en grosse.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. FULTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FULTON. I am, Mr. Speaker.



The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FULTON moves to recommit the bill to the Committee on the Census.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. FULTON) there were—ayes 60, noes 48.

Mr. ALLEN of Louisiana. Mr. Chairman, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ALLEN of Louisiana. I withdraw my point of order, Mr. Speaker.

#### CIVIL SERVICE RETIREMENT ACT

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 896) to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes.

There being no objection, the clerk read the bill, as follows:

*Be it enacted, etc.,* That section 10 of the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942 (Public Law No. 411, 77th Cong.), is amended to read as follows:

"SEC. 10. In the case of those who before the enactment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or the act of May 29, 1930, as amended; the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this act."

SEC. 2. Nothing herein contained shall be construed so as to reduce the annuity of any annuitant, nor shall any increase in annuity accrue under this act to any annuitant for any period prior to the effective date of this act.

SEC. 3. This act shall become effective, on the first day of the second calendar month following the month in which this act is enacted.

Mr. RANDOLPH. Mr. Speaker, Senate 896 is a measure that has unanimously passed the Senate. The House Committee on the Civil Service has reported the legislation unanimously and a rule has been granted. This afternoon the gentleman from Kansas [Mr. REES] the ranking minority member of the committee, and I, and perhaps other members of the House Committee on the Civil Service, will take the necessary time to inform our colleagues of the purposes of this legislation. We believe that it is meritorious and should pass.

Mr. Speaker, the purpose of the measure is to provide for the recomputation of a limited number of annuities that were granted under the Civil Service Retirement Act before certain amendments were added to the act in 1942. The bill is brought here to remedy an existing inequality. The bill would extend to

certain annuitants retiring under the Civil Service Retirement Act prior to January 24, 1942, the privilege of having their annuities recomputed under the new method which was contained in the act of 1942, if such computation would result in an increased benefit to the annuitant. The recomputation would be by the terms of the proposal be effective on the 1st day of the second calendar month following the date on which the measure becomes law.

I think I should say to the Members that the January 1942 amendment guarantees an annuity equal to one-seventieth of an employee's highest average salary for five consecutive years, multiplied by the years of service, not exceeding 35. The provision to which I call your attention was not retroactive to benefit those persons separated prior to the date indicated. In previous amendments to the retirement law, that is, in 1926 and 1930, we made specific provision to include annuitants then on the rolls. That is what we would do in this legislation. We would embrace a certain limited number of annuitants. The number, I believe, is something in excess of 5,500. May I ask the gentleman from Kansas [Mr. REES] if that is correct?

Mr. REES of Kansas. That is correct; between 5,500 and 6,000.

Mr. RANDOLPH. The board of actuaries for the civil-service retirement and disability fund have advised the House Civil Service Committee that over a long period of years this would cost approximately \$6,000,000. May I ask the gentleman from Kansas, who cooperated in this legislation, if that figure is approximately correct?

Mr. REES of Kansas. That is right. It is a little more than \$6,000,000.

Mr. RANDOLPH. I may say properly to the House that as an example of the reason for this legislation let us take an employee retiring at the present time at a salary of \$4,000 and with 35 years' service. His annuity on retirement would be \$2,000. He would have contributed the additional deductions from salary over a period of slightly more than 4 years, amounting to about \$850. An employee at the same salary and with the same term of service who retired just prior to 1942, when the amended law was passed, on an annuity of \$1,200, has been denied the increased annuity of \$800 per year for that period of 4½ years, totaling a sum of about \$3,600.

That annuitant has contributed indirectly to the retirement fund through the denied annuity.

I think we should also direct the attention of our colleagues to the fact that the operation of the reemployment provision of the amendment of January 24, 1942, resulted in the fact that there are certain persons who have taken advantage of such provision, who retired before 1942, and who have obtained reemployment during the war. There is no requirement under the law as to how long a reappointed person must hold a position before he can retire under the 1942 amendment; hence, many have held such positions for very short periods, as little as 30 days, and then retired and been granted the increased annuity.

Mr. BEALL. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Maryland.

Mr. BEALL. May I ask the gentleman if this bill has provisions similar to those contained in the bill (H. R. 3054), which I introduced?

Mr. RANDOLPH. The gentleman is correct. The legislation he presented for our consideration is embraced within the bill brought here today. We appreciate his interest and efforts in providing an equitable annuity for these persons.

The SPEAKER. The time of the gentleman from West Virginia has expired.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for two additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. SPRINGER. Part of this group of Federal employees were not covered by other legislation which has been passed. Is that not correct?

Mr. RANDOLPH. The gentleman is correct. We do know that they made their payments just as these who are working today have made them, yet we feel that they have not received the benefits of a law which Congress intended not only to apply to those retiring today but those who retired prior to 1942.

Mr. SPRINGER. In other words, those who will benefit by this legislation have made their payments the same as those who have benefited, but these folks have not received the same benefits?

Mr. RANDOLPH. That is an assertion which is correct.

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Oregon.

Mr. ANGELL. Is it not true also that this is to rectify the mistake that we made when the law was passed in not making it retroactive at that time?

Mr. RANDOLPH. That is true. It was an error in a previous act of Congress. That is the reason we believe that the Senate and now we trust the House will make this an equitable annuity for all concerned.

Mr. REES of Kansas. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I do not intend to cover the same ground the gentleman from West Virginia has covered, but in substance this legislation is intended to take care of an inequity that occurred whereby in January 1942 Congress passed an act by which it increased the amount of annuities to those retired from Government service after January 24, 1942. Congress increased the percentage of the amount allowed these retired employees on the basis, as the gentleman from West Virginia has pointed out, of the salary they received during the last 5 years of service. This legislation is to bring that comparatively small group of people under the provisions of the legislation passed in January 1942. The group comprises between 5,500 and 6,000 individu-



als of an average age of about 69 years. If an individual left the service, as the gentleman has said, prior to 1942 and was able to get back on the pay roll after January 1942, and a great many did, then they get the benefit of the 1942 act. If they were not able to get back on the pay roll even for a short period of time, they do not get the benefit of it. This will take care of that inequity.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I am glad to yield to the gentleman.

Mr. ROBSION of Kentucky. Why do you start with \$4,000?

Mr. REES of Kansas. It does not start at \$4,000. That is just an example set forth in the report to illustrate how it would work. Suppose an employee retired at a salary of \$4,000 after 35 years of service. His annuity on retirement would be \$2,000. If he had retired before January 24, 1942, it would have been \$1,200. That is just an example set out in the report.

Mr. ROBSION of Kentucky. Suppose a man is getting a salary of \$2,000 and he only has 20 or 25 years of service. Would it cover that sort of case?

Mr. REES of Kansas. Yes, the other example was just given as a matter of illustration.

Mr. ROBSION of Kentucky. It would be covered?

Mr. REES of Kansas. It takes care of all of the case of those who retired prior to January 1942.

Mr. MURRAY of Wisconsin. Mr. Speaker, I rise in opposition to the pro forma amendment.

(Mr. MURRAY of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. MURRAY of Wisconsin. Mr. Speaker, I call the attention of the ranking member of this committee, the gentleman from Kansas, the Honorable EDWARD REES, and also the chairman of the committee, the gentleman from West Virginia, the Honorable JENNINGS RANDOLPH, to a situation I do not want to be in the position of opposing this legislation, but every time this committee brings in a bill in connection with Federal retirement, then I wonder why in time it is that we have such rank discrimination against certain people who happen to get paid by the same Government.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. In just a moment.

Once again I call attention to the fact that men out in the rural areas, working for the Government on the agricultural programs like the Production Credit Association, Farm Credit Administration, the AAA, the Farm Security, and other farm agencies, do not even come under civil service, nor do they get any benefits whatsoever. You will say to me, "Why don't you introduce a bill?" My answer to that is that there has been bill after bill introduced to correct that situation. Is there anyone in this body who can tell me why a person who is working in one of the county offices for the AAA, the

Farm Security, Farm Credit, FCA, or any of the other agricultural agencies, should work year after year—some of them to my knowledge working for 10 or 12 years—should not receive any civil service status? Should not these people be entitled to have any retirement provided for them when they finish their work for this Government? They are working for the same Government that rest of these people are working for. They do not happen to be living in Washington, but they are working for the same Government and yet they do not have any protective retirement. I did not want to make any issue of it, but right on this floor, a few months ago this Congress provided that the boys who press the pants and shine the shoes down at the Naval Academy will come under retirement. However, this great group of people working in the agricultural regions on agricultural programs do not come under the provisions of civil service nor are they provided the civil service retirement.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. REES of Kansas. As I remember, the gentleman from Wisconsin went along on that 1942 act that was passed when we increase the amount of annuities for these many thousands of Government employees. Now the gentleman talks about the inequities of the situation. If that was wrong legislation, it passed this House. All this bill does is to put those people who happened to retire before January 1942 on the same basis.

Mr. MURRAY of Wisconsin. I will answer my colleague by saying that how the gentleman from Wisconsin voted in 1942 or 1822 has nothing to do with the point I am trying to make. This committee year after year brings in legislation for Government employees, yet we have one large group of Government employees who do not receive any protection. That is the only point I want to make. I was careful in the beginning of my remarks not to make any reference to what you are doing in this particular bill. I do not know whether it is on the doorstep of the gentleman from Kansas or the gentleman from West Virginia or whose doorstep it is on, but the fact is that out in those rural areas year after year they do not come under the provisions of civil service or retirement. And I want someone to tell me why. Are not all Government employees entitled to the same legislative consideration?

Mr. REES of Kansas. I will go along with the gentleman on that proposition if they are not getting what they are entitled to.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to proceed for two additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. RANDOLPH. I share the over-all objectives which are sought by my colleague from Wisconsin. I think the criticism that he directs at this committee should be realized not as a carping word but as a constructive word, and I take it in that manner.

The Civil Service Retirement Act does, by its terms, include all officers and employees in the executive branch of the Government not subject to another retirement system and not exempted therefrom by law or Executive order.

Recommendation has been recently made that employees of national farm-loan associations and production credit associations be brought within the purview of the Retirement Act, but it appeared from a report by the Civil Service Commission that such employees could not be legally considered as employees of the Government, belonging as they do either to a privately owned corporation or to an organization which will eventually become privately owned.

The words "in or under the executive, judicial, and legislative branches of the United States Government," appearing in section 3 (a) of the Retirement Act, has been construed by the Commission to include only persons who (a) are engaged in the performance of Federal functions under authority of an act of Congress or an Executive order, and (b) are appointed or employed by a Federal officer, and (c) are under the supervision and direction of a Federal officer and for these reasons are officers or employees of the United States Government.

Mr. MURRAY of Wisconsin. The gentleman should know that.

Mr. RANDOLPH. I should say to him that I do believe the Civil Service Committee of the House has within the past few weeks, for the first time in the history of legislation in this body, be it the Civil Service Committee or any other committee, put a limitation, plus a reduction, in the number of employees who are to work for the Federal Government. For the first time, I will say to the gentleman from Kansas and the gentleman from Wisconsin and to all my other colleagues, your committee has acted not only to further improve the efficiency of the department and the type of work undertaken in the name of good government, but we have actually started to reduce the number of employees, and that is a part of the Federal Pay Act.

Mr. MURRAY of Wisconsin. I will answer the gentleman from West Virginia by saying that is not the point as far as I am concerned. You can take off a million employees and it might be a desirable thing for the country. The point I am calling attention to is that many thousands of Government workers in rural areas who do not come under civil service obtain none of these benefits. It seems that we have no difficulty in coming here time after time and doing things for the benefit of a few of the civil-service employees, but I say it is time that these others were included.

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.



The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 661 was laid on the table.

#### RETIRED STATUS OF RETIRED OFFICERS EMPLOYED BY VETERANS' ADMINISTRATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5626) to authorize the Veterans' Administration to appoint and employ retired officers without affecting their retired status, and for other purposes, with Senate amendments, disagree to the Senate amendments, agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MAY, THOMASON, BROOKS, SHORT, and ARENDS.

WILLIE HINES

Mr. COMBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2544) for the relief of Willie Hines, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "\$1,514.48" and insert "\$909.08."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

JOHN HAMLET

Mr. COMBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2954) for the relief of John Hamlet, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "\$1,782.13" and insert "\$1,250."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MICHAEL J. KEAVENEY AND MARY C. KEAVENEY

Mr. COMBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5208) for the relief of Michael J. Keaveney and Mary C. Keaveney, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "\$3,500" and insert "\$3,000."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

MRS. MARIE EDENS NAST ET AL.

Mr. COMBS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3010) for the relief of Mrs. Marie Edens Nast, Mrs. Bessie Amann, and George R. Townsend, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, strike out "\$10,000" and insert "\$7,400."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. FERNANDEZ asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech delivered by Gen. G. L. Collins on unification of the armed forces before the National Security Committee of the Veterans of Foreign Wars.

#### SPECIAL ORDER GRANTED

Mr. DAVIS. Mr. Speaker, I ask unanimous consent that at the conclusion of all the special orders heretofore entered for today I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. SPRINGER] is recognized for 20 minutes.

#### OUR FOOD SHORTAGE

Mr. SPRINGER. Mr. Speaker, I rise today to make some observations regarding the food situation in our country. There are some matters of evidence in this very connection with which the people and the country are, perhaps, not entirely familiar, and it is my desire today to bring those matters to the attention of the people and the country. The people are entitled to know these things, and I intend to let them know insofar as I am able to do so.

Many years ago, Napoleon said, "An army travels on its stomach." More recently, Mr. Henry Wallace, the former Secretary of Agriculture, and now the Secretary of Commerce, who some years ago brought about the killing of some 7,000,000 little pigs and nearly a million head of cattle, and caused every third row of corn and cotton to be plowed under, said: "Food will win the war and write the peace." The latter statement is entirely correct and the same is literally true, but the question remains for every American to answer, "Has this

administration adequately provided for the production of food?" The answer is "No." Otherwise we would have the available food which is so badly needed.

Mr. Speaker, our farmers produced the food which was so essential to the winning of the war. They accomplished this monumental task with but very little farm help because their sons were inducted into the Army, and their experienced farm help was either persuaded away to work in some war plant, at very high wages, or they were herded into some branch of the service. They faced the problem of attempting to secure farm machinery, or replacements, and this was a very serious obstruction. However, with all of these handicaps, and with the help of other members of their families—their wives and little children—they worked early and late, and they did a magnificent job. I cannot commend them too highly for this great accomplishment. They produced the food for war. Now, the war is over—the shooting has ended—and we face the question of food in time of peace. The statement to which I referred hereinbefore that "food will write the peace" is actually true.

Mr. Speaker, I wish to call the attention of the Members of the House to an article which appeared on last Saturday, June 22, in one of the local papers in which its bold headlines set forth: "Supply of meat falls 90 percent here to hit new low. Neither beef nor pork available as end of ceilings is awaited."

This is quite an interesting article. As I scan through the article I notice it has one particular feature which relates to the closing of packing plants and this is what the article relates with regard to that feature:

Many packing plants and butcher shops are closed. Armour who can slaughter 220 animals an hour has not slaughtered a beef animal this week. The company which had an average daily slaughter of 3,789 hogs last year and 7,607 through 1944 obtained but 16 hogs on yesterday's market.

Reports from large cities across the Nation read about the same, little or no meat. In Pittsburgh the coal miners told Navy officers of the area coal mines administration they would not work unless they get more bread, more flour, and more meat.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Those are very alarming conditions and the serious thing about it is they are true. Yet, we have the OPA and have had it about 3 years. We have been importuned by letters and telegrams from people urging us to continue OPA as is without amendment. We see the OPA as it has been operating for the last 3 or 4 years and the condition it has brought the country to.

Mr. SPRINGER. The gentleman is entirely correct and I wish to thank him for that splendid observation.

Mr. GILLIE. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. GILLIE. Last week I received a call from one of my local butchers in Fort Wayne who also runs a locker plant. He







[PUBLIC LAW 470—79TH CONGRESS]

[CHAPTER 519—2D SESSION]

[S. 896]

AN ACT

To amend the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the Act entitled "An Act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942 (Public Law Numbered 411, Seventy-seventh Congress), is amended to read as follows:

"SEC. 10. In the case of those who before the enactment of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, as amended, or the Act of May 29, 1930, as amended, the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this Act."

SEC. 2. Nothing herein contained shall be construed so as to reduce the annuity of any annuitant, nor shall any increase in annuity accrue under this Act to any annuitant for any period prior to the effective date of this Act.

SEC. 3. This Act shall become effective on the first day of the second calendar month following the month in which this Act is enacted.

Approved June 29, 1946.







